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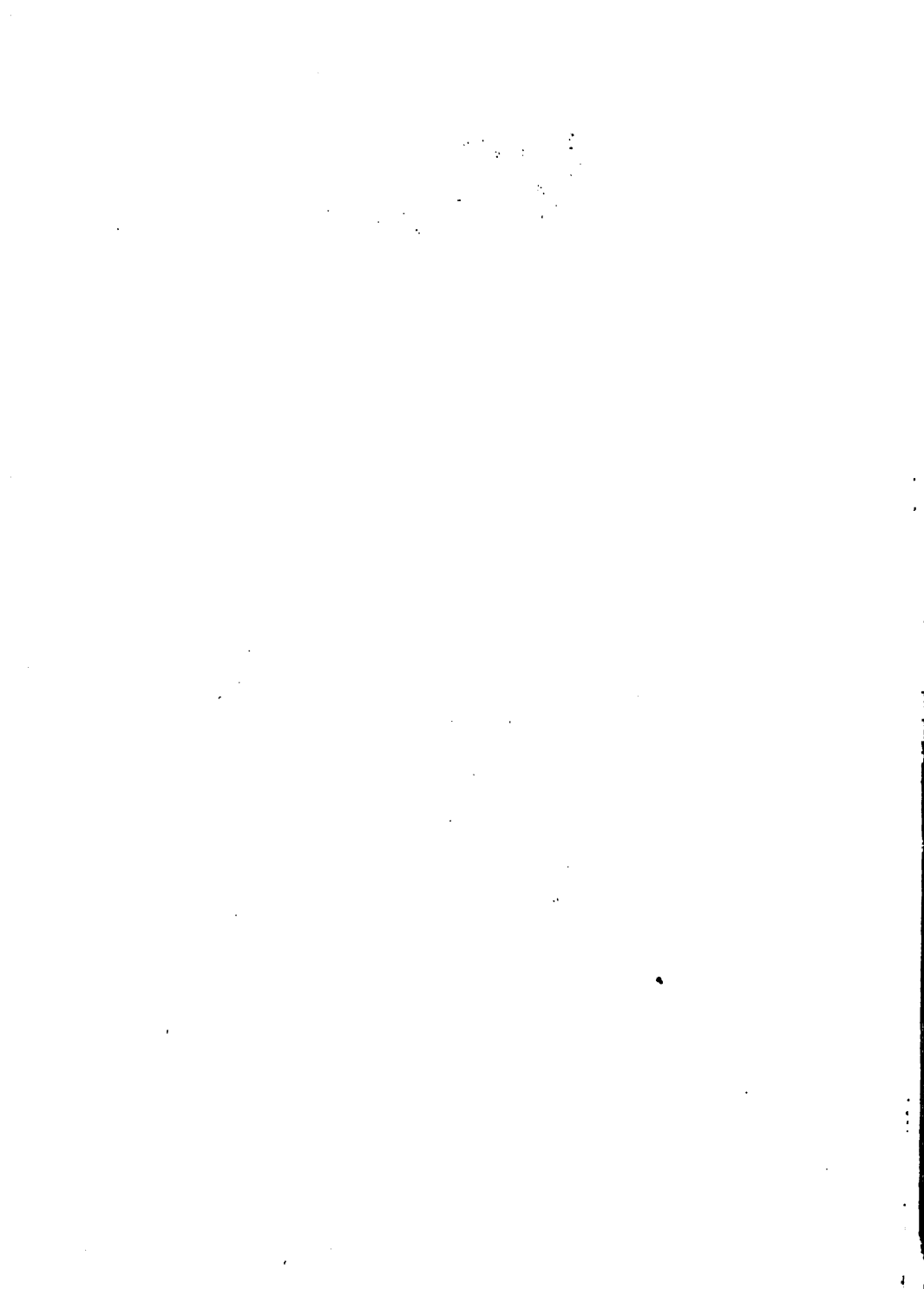


MEMOIRS  
OF  
MARY STUART.

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VOL. I.

**LONDON :**  
**PRINTED BY R. CLAY, BREAD STREET HILL.**





THE QUEEN OF FRANCE

ANNE OF BOLEYN

ANNE OF BOLEYN WAS THE SECOND WIFE OF HENRY EIGHT AND THE MOTHER OF ELIZABETH I. SHE WAS BEHEADED IN 1536 FOR ALLEGED ADULTERY.

MEMOIRS  
OF  
MARY STUART,  
QUEEN OF SCOTLAND.

BY  
L. STANHOPE F. BUCKINGHAM.

. . . . . 'Tis slander;  
Whose breath is sharper than the sword; whose tongue  
Outvenoms all the worms of Nile; whose breath  
Rides on the posting winds.  
Be thou as chaste as ice, as pure as snow, thou shalt not escape calumny.

IN TWO VOLUMES.

VOL. I.

LONDON:  
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1844.



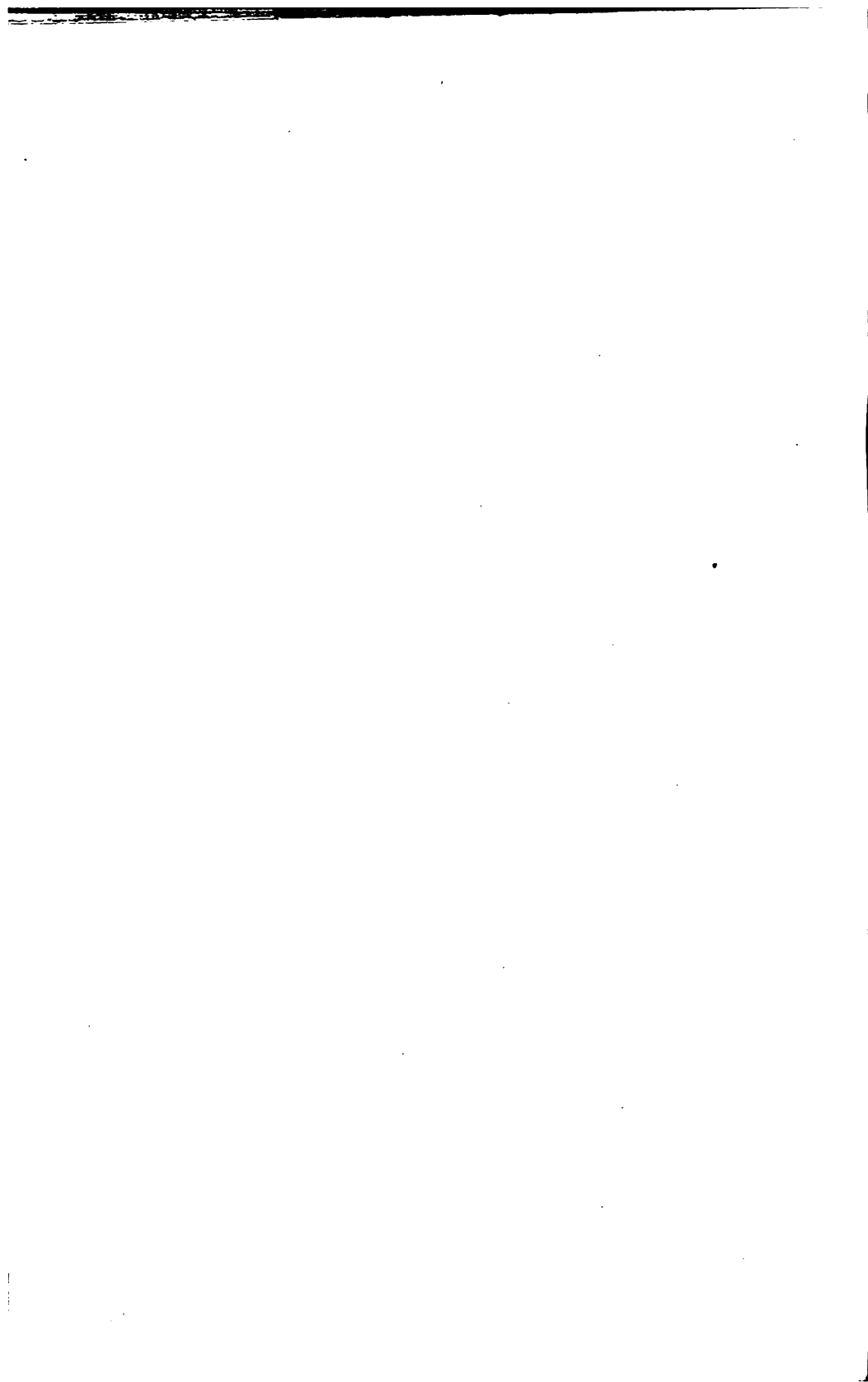
TO  
SIR CHARLES FORBES, BART.

A DESCENDANT OF  
ONE OF THE BRAVE DEFENDERS  
OF  
MARY STUART,  
AND A TRUE AND UNFLINCHING FRIEND TO THE  
INNOCENT AND OPPRESSED,

*This Work is Inscribed,*  
WITH GRATEFUL AND AFFECTIONATE RESPECT,  
BY HIS SINCERE AND FAITHFUL FRIEND,  
THE AUTHOR.

LONDON,  
*December, 1843.*





## P R E F A C E.

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THE selection of a subject—confessedly one of the most deeply intricate in the whole range of historical study—and the discussion of dark and doubtful questions which have already engaged the attention, and, in some cases, baffled the penetration, of the most learned writers our nation has ever produced, seem to bear so very distinctly the stamp of vanity and presumption, that I fear I shall be thought to have called down upon myself the severest lashes of the critic, by the apparent self-sufficiency of the attempt. But a few words of explanation will, perhaps, be sufficient to show that vanity has not been the motive which has induced me to come forward as a vindicator of Mary Stuart.

It is now, not quite two years ago since my attention was first particularly drawn to the

minute investigation of the history of the Scottish Queen. Her name,—deep and romantic as must be the interest attached to it in the mind of every one, from the miseries and sufferings of her latter days,—was yet veiled in my mind beneath a gloomy cloud; for the perusal of the popular histories of the last century, remote from any means of ascertaining the accuracy of their details, had impressed me with a strong conviction of her participation in those enormous crimes with which her name has been connected, and time and inclination had both been wanting to enter into the details of the controversy respecting her fame. But, about that period, a casual discussion, on a very unimportant point connected with a portion of her career, led me to consult the reference of Hume, and to endeavour to verify the narrative of that historian by the production of the authority upon which he appeared to rest the accuracy of his assertion; and the astonishment was truly great which followed the discovery that the pretended reference in no degree substantiated the statement of the text. My confidence once shaken, I was induced, with that insensible progression

which often leads the mind on in a train of enquiry far beyond its first intent, to follow up my discovery by subsequent investigations; and a few elucidated errors served so greatly as an incentive to further study, that I soon found myself immersed in the most minute portions of the Marian controversy.

The possession at that period of ample leisure alone enabled me to pursue, with success and pleasure, a course of research which involved the perusal of a very extensive range of controversial writings; and the thought often flashed across my mind, that a personal Memoir of the Scottish Queen, embracing, what none had done before, the essence of that long and vehement controversy, which has been carried on with so much ardour almost ever since the days in which she lived, (and the correct understanding of the merits of which is indispensable to the formation of a true estimate of her character,) would not fail to be valuable and attractive.

The interest which the history of Mary Stuart possesses, is so universal in its nature, that few are without a desire to become acquainted with

the data upon which their estimate of her character may be founded. With the view of placing such within the reach of those who are not inclined to wade through ponderous volumes, and attempting to combine together, it is believed, for the first time, the personal incidents of Mary's remarkable and romantic career, and the important points of the controversy with regard to the murder of her husband, this work has been undertaken.

I am prepared to hear it urged, as it has been often urged before, that the attempt, at so remote a period, to vindicate the fair fame of a woman and a Queen, whose guilt or innocence affects so little the present generation, is worthy to be stigmatised as quixotic; but I am free to confess that it will be to me an ample reward to have rescued, in the minds of some, an innocent and persecuted woman, from calumny and slander.

A few words are necessary with regard to the portraits which embellish the present Memoir. For the one, representing the Queen of Scots in the gay and happy days of her early sojourn at the French Court, I am indebted to the kind-

ness of Miss Louisa Stuart Costello, (whose graceful productions in illustration of some of the most romantic portions of a neighbouring kingdom, "The Bocages and the Vines," and "A Pilgrimage to Auvergne," are so well known,) who very obligingly allowed the use of a copy made by herself, —with the permission of the Duke of Devonshire. His Grace's ready patronage of literature and art is so universally acknowledged, as to make it almost a work of supererogation to express gratitude for his prompt liberality and generous condescension. The original is at Hardwicke Hall. The other, portraying Mary at a later period of her life, when her many and unequalled sorrows had in some measure dimmed the lustre of her early beauty, is taken from a picture, possessing a very high historical interest, and having, at the same time, claims to authenticity beyond any other that has been yet produced; being copied, by permission, from a miniature in oil by Zuccherò, at present in the Medal Room of the British Museum; in which place it was deposited by the Dowager Countess of Warwick, accompanied by the following attestation, in her own hand :—

“ An original Portrait of Mary Queen of Scots, painted by Zuccherò, in oil and on metal, (shape round, 2 in.  $\frac{5}{8}$  diameter.) Mem<sup>dm</sup>. That this Portrait was given, on the 21st day of May, 1792, by the C<sup>ts</sup> Dow<sup>r</sup> Brooke and C<sup>ts</sup> Dow<sup>r</sup> of Warwick to the Trustees of the British Musæum, (Montague House, Bloomsbury,) in order and for purpose that this said Portrait shall be kept and safely preserved in the same Musæum, as likewise to have it on record to have been her gift; having desire to leave testimony from this instance of her sentiments, by the value she attaches to the Portrait above specified; and the more especially as it was bestowed by her Majesty on one of the ancestors of the present Donor of it to the Trustees of the British Musæum. Elizabeth Douglas Hamilton C<sup>ts</sup> Dow<sup>r</sup> Brooke and C<sup>ts</sup> Dow<sup>r</sup> of Warwick.”

These portraits, one of which has never been before engraved, while the prints of the other are of extreme rarity, will, it is presumed, enhance in some measure the value of the work.

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HISTORICAL MEMOIR  
OF  
MARY STUART.

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CHAPTER I.

PRELIMINARY VIEW OF SCOTTISH HISTORY—EARLY RELATIONS  
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JAMES V.—DEATH OF JAMES—REGENCIES OF ARRAN AND THE  
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MARY.

AMID the many and varied subjects for investigation which the wide and fertile field of historical controversy presents to our notice, there are many which must be regarded as rather curious from their intricacy and difficulty, than useful from their actual importance; and it may appear to some, that the examination, at so late a period, of the character of Mary of Scotland, and the attempt, after so long a lapse of time, to attain to a correct view of the real actions of her life, must be classed among

these unprofitable employments of human labour. And yet there are many circumstances which irresistibly induce the belief that such a conclusion is scarcely based on truth. Were we to select for discussion such a question as that which has arisen concerning the identity of Perkin Warbeck with Richard, Duke of York, whose name and claims he assumed, or any other equally dark and intricate point of history of a similar character, it might with great propriety be objected, that such topics, however interesting and delightful to the student of history, can possess but little attraction for the general reader, since their decision will but little influence his general view of contemporaneous events. But the case is far different with regard to the character of Mary Stuart. Upon our opinion of her guilt or innocence with relation to some of the dark and melancholy transactions of her reign, must depend almost entirely our view of the characters of the men by whom she was surrounded, since, if we find her innocent, the conclusion is irresistible that they were guilty; and thus, upon the determination of this one point, must rest the whole historical system which we frame with regard to the events of the age in which she lived. A theme, then, of such paramount importance can scarcely be looked upon as unworthy of our most serious consideration.

Before, however, we enter upon the more immediate investigation of the events of Mary's long and troubled career, it may not be altogether amiss to cast a hasty glance at the previous history of Scotland; without which it would be difficult, if not wholly impossible, to attain to a correct understanding of many of the transactions which we shall be called upon hereafter to discuss, and the seeds of which had been sown during a long course of preceding years. From the neglect of such a course have sprung many of the fallacies which have been promulged with regard to the Scottish Queen; and it will therefore be well that we should take warning from the errors of others, and endeavour to supply a deficiency which has been frequently, though not always, permitted to occur.

The early government of Scotland resembled that of England in its more prominent features, being monarchical and hereditary, and the feudal system prevailing very generally throughout the nation. But this last, though the same in name and form, was very different in character from that which predominated in the sister country. The vassals of England were a conquered people, while their lords were their victorious invaders, and the subjugation of the one to the other was therefore purely the result of physical force, unassisted by the slightest mutual interest or reciprocal affection; and the

English nobles of the early ages, though wild and turbulent, were cautious in their opposition to the monarch, since they were never certain of the hearty alliance of those who were the instruments of their warfare. But in Scotland the serf was the clansman of his lord; though lower in the grade of society, his interests were identical with his, and the ties of blood and natural affection strengthened and rendered almost indissoluble the mutual attachment. Fortified by this, the Scottish nobles became far more unruly and insolent than those of England, and, from the earliest ages up to the death of James IV., they exercised a power generally equal, and in some cases even superior to that of the king himself. On the accession of James V. to the Scottish throne, they found that they were at length ruled by a prince, whose estimate of the sovereign dignity would not sanction such innovations upon his power, as had been suffered by his unresisting predecessor. From the moment of his assuming the sceptre, this monarch, whose character was adorned by distinguished virtues, and who seemed to possess in a very high degree the affections of his people, entertained the design of crushing the hitherto ungovernable nobility, and reducing the power of the aristocracy to its proper level, in subjugation to the kingly power. To have endeavoured to effect this object with his own unassisted

power, would have been almost sufficient to secure a signal and ignominious failure; and he therefore secured in the first place, the alliance of the ecclesiastics, who formed at that period one of the three estates of the kingdom, and whose attachment to the throne had been increased by the liberality which most of the Scottish monarchs had exhibited towards the Church. Having secured the aid and support in his measures of this powerful body, James began gradually to put into operation the plans which he had devised. The Earl of Angus was attainted for high treason, and others shared a similar fate; while some, under a milder sentence, were banished from the country.

Such a course as this, contrasted with the secure and unquestioned power which they had for so long a time enjoyed, seems at first to have stunned and amazed the nobles in so great a degree as to render them incapable of active resistance; but it was not long ere they awoke to the conviction that their sway was rapidly on the decline, and that prompt and violent means must be taken to save it from utter extinction. And an opportunity for revenge soon presented itself, which they were not deterred from seizing, even by the stain which it necessarily cast upon the honour of their nation.

Henry VIII. of England had declared war against the Scottish king, upon the avowed pretext



that he had protected some English rebels, and detained some territory which belonged to England; but really, because James had slighted some advances which he had made, and had declined a meeting which it was proposed should take place between the two monarchs. The Scottish king called his nobles to arms, and they instantly flocked around his standard with every appearance of readiness and alacrity, and marched under his guidance against the English army, which had already entered the Scottish territory; but, though they chased them to the borders, they refused to pass beyond, and allowed to the vanquished foe an easy and safe retreat. Some time after this, James designed to chastise the insolence of the English, who had thus invaded him on his own land, with scarcely the shadow of a pretext; and assembled an army over which he placed Oliver Sinclair as his general; but the nobles and their vassals at first refused to follow him, and ultimately surrendered to the enemy without striking a single blow.

These circumstances are of the utmost moment, because they give us no little insight into the real character of the Scottish nobles who figured so largely in the events of the succeeding reign. Instead of the bold and sturdy patriots, ready to resist and to overthrow that which might militate against the interests and liberties of their common

country, whether it appeared in the shape of foreign invasion or of internal treason, we recognise a restless, ambitious, and turbulent body, jealous of restraint, even from those whose authority was legally paramount to their own, easily excited to revenge a fancied wrong, and so reckless, so unprincipled, so little animated by the spirit of true patriotism, that, in order to gratify their own vengeance, they did not scruple to subvert the liberties, and to stain the honour of their nation, by an ignominious submission to a foreign foe.

The effect which these events, passing in somewhat rapid succession, produced upon the spirits and health of the monarch, was great and unfavourable;—and while he was yet suffering under the depression which they naturally occasioned, his two sons, princes of whom we know but little, died, and these accumulated griefs, pressing with almost irresistible force upon his mind, caused his premature death, at the early age of thirty-three years, leaving a name not altogether spotless, but far brighter and more glorious than that of many of the monarchs who have swayed the Scottish sceptre. The opposition which he manifested to the innovations of the reformed preachers has induced them to endeavour to cast obloquy upon his character; but, though lavish in assertion, they are there content to rest, while his great im-

provements in the courts of justice, his endeavours to ameliorate the condition and laws of the country, and his noble exertions to subdue the aristocracy, and resist the unconstitutional exercise of their power, must induce us to regard him with admiration and respect. He died on the 14th of December, 1542, and left behind him but one child, Mary, who was born but a few days before his death.

The dignity of Regent was one to which all the most prominent of the nobility might look with desire, and the breath had scarcely left the body of James before two candidates for the honour appeared, though it must be confessed that neither of them seem to have possessed the slightest qualification for the office. One of these, Cardinal Beaton, was a man of high and distinguished powers, but he was ambitious and grasping, and added to this a large share of insolence and cunning, two qualities, which, in those ages, would tend much to facilitate the attainment of his ends. All his talents were devoted to his own advancement, and to promote the elevation of the body to which he belonged, and to which his attachment was unbounded—the Church of Rome; though, in this respect, he seems to have laboured less for the Church than for himself, as one of its members,—desiring her aggrandizement chiefly because so

intimately connected with his own. The other aspirant, the Earl of Arran, who afterwards appeared as the Duke of Chatelherault, was also able and talented; but the powers with which he was gifted were obscured and rendered nugatory by a timidity and irresolution which entirely unfitted him for the turmoil of public life, especially in a nation so turbulent and unruly as Scotland then was. Upon the ground of merit, the decision between the claims of these contending parties might have been an arduous task; but the Earl of Arran, being the next heir to the crown, was appointed, by general consent, to the Regency during the minority of the infant Queen.

In addition to the actual territory of the kingdom, the Scottish monarchs had, for a long period of time, held in possession some of the northern portions of England, including part of Cumberland and Northumberland; but they held these only as fiefs, and did homage for them to the English crown; which, however, jealous of the existence upon the same island of a separate and independent nation not subject to itself, made use of this partial homage, as a pretext for claiming a superiority over the entire kingdom. From the earliest ages this claim had been put forward, and many attempts had been made to enforce the homage which the King of Scotland was required to pay to him of

England as his superior lord ; and even so late as the reign of Henry VIII. this ancient claim had been made use of as a pretence for the war which that monarch waged against James V. But after the death of James, Henry seems to have perceived that which had become evident during the whole of this contest, that the independent spirit of the Scots would never suffer their country to be reduced to the condition of a fief, while a drop of Scottish blood remained to be shed in defence of her ancient rights ; and as his desire to annex the fair kingdom of Scotland to his own dominions was still as ardent as before, he began to seek for some more pacific means of attaining the object he had in view. None seemed less objectionable than a marriage, and he accordingly proposed an alliance between the infant Princess Mary and his own son Edward, who afterwards ascended the English throne.

Such an union was far from disagreeable to those to whom it was proposed, while it was peculiarly acceptable to such as favoured the views of the reformed Church, whose champion Henry was most undeservedly esteemed. At first, therefore, the proposal was well received ; but when, in the course of the negotiations, the real object of the English king was betrayed, and when he annexed as conditions the demands,

that the person of the Princess should be given into his hands, and the government of the kingdom placed under his control during her minority, the proud spirit of the nation was aroused, and Henry was compelled to be content with a treaty, which, though it sanctioned the alliance, denied to him all the conditions which he had imposed. A very short time, however, sufficed to show how hollow and unsafe was the friendship of Henry, and some of his subsequent actions entirely destroyed the slight attachment which existed towards him among the Scotch, and made them look to France for succour and support.

The weakness and incompetency of the Earl of Arran soon became so evident, and he himself seemed to be so convinced of his inability to sustain the cares of so arduous an office as that of regent, that he voluntarily resigned it to the Queen Dowager, Mary of Lorraine, the widow of James V. To endeavour to seek, amid the conflicting testimonies of contemporaneous historians, for an impartial view of the character of this Princess, would be indeed a hopeless and an unprofitable task; for, occupying as she did an elevated position in the nation, when it was greatly divided by internal dissensions, and living at a period when the religious struggle in Scotland was at its height,—a struggle in which she took a very prominent part, as the

defender of the ancient faith ; it might naturally be expected that the writers of the age would be peculiarly prejudiced with regard to her. And such is, in truth, the case ; the one party lauding her as the most accomplished and amiable of her sex, while the others denounce her as the vilest and most infamous of women. Avoiding, however, these extremes of party feeling, and endeavouring to judge of her character by her actions, the true test of the disposition of a ruler, we shall be led to conclude that she was a princess highly gifted, amiable, pious, and merciful, humane and impartial in the administration of justice ; while her only fault, if fault it can be called, since it is, in fact, but an exaggerated virtue, was a too ardent love for her native country, and a desire, somewhat too strong and too freely indulged, to make all things subserve to the interests of France.

Under her regency the conflict between the two classes of religious belief, the Catholics, and those of the reformed faith, began to assume a more definite and imposing shape. Of the general character of the movement of the Reformation it is not our object to speak here, nor would the discussion of its merits have any material bearing upon the topic before us ; but a few moments may be not unprofitably devoted to the consideration of the circumstances which peculiarly influenced the Reformation in Scotland,

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and which tended to give to the movement a character very different from that which it presented in other portions of the world.

We have already noticed the conflicts which took place between the monarch and the nobles, in the reign of James V.; and we have also adverted to the fact, that that Prince availed himself of the alliance of the clergy, in order to strengthen himself for the encounter with the nobles. Being thus placed in a prominent position in the contest, as the supporters of the King, the dignitaries of the Romish Church became the objects of the utmost hatred of the temporal peers, who had long looked with a covetous eye at the rich benefices of the clergy, and who, alike incited by the promptings of avarice and revenge, and restrained by no considerations of honour or justice, waited but for an opportunity to wreak the fullest vengeance on those who had had the temerity to oppose what they were pleased to consider, or at least to call, their ancient and indefeasible rights. Such an opportunity soon presented itself in the Reformation; and as the difference of religious faith could be but a slight obstacle to men who had scarcely a spark of true religion in their hearts, they were not slow to avail themselves of the opportunity which thus presented itself of reaping a glorious harvest from the possessions of the clergy.



Among those who were thus induced to abjure their former faith, was one of whom we shall have to speak so frequently hereafter, that it may be well to advert to him here, and to introduce upon our stage one of the principal actors in the bloody scenes which we shall too speedily approach. Among the many misfortunes with which nature seemed to have surrounded Mary, as if to render her path more thorny, and to increase those difficulties which naturally flowed from her exalted station, was one which ought to have been a blessing and an advantage, but which was, in truth, a deep and lasting curse. She had a brother, and this brother was the Earl of Murray. He was illegitimate; but this circumstance, though it excluded him from the possession of regal honours, seemed to render him only the more eager for the enjoyment of that power which he could never lawfully sway. He was indeed one of those

“ Who, in the lusty stealth of nature, take  
More composition and fierce quality  
Than doth, within a dull, stale, tired bed,  
Go to the creating a whole tribe of fops,  
Got 'tween asleep and wake.”

And he seems to have adopted the principles as well as the character of that type of the bastard

race, who, in the words I have just quoted, describes his own qualities ; and who says—

“ Let me, if not by birth, have lands by wit :  
All with me's meet, that I can fashion fit.”

Possessing the highest abilities, and holding, in respect of talent, a position far above all the other nobles of the Scottish realm, but neglecting to apply those abilities disinterestedly for the benefit of the nation, and leaguings with her enemies against her peace whenever her interests were not identical with his own ; making vast professions of religion, yet failing to show, by his actions, that its spirit had infused itself into his heart ; greatly zealous for the promotion of the interests of the Reformation, because his own position, as leader of the Reformers, depended upon its advancement ; and persecuting with the bitterest fury beneath the banners of a faith whose essence is charity to all ; he possessed all the evil characteristics of his age, without those redeeming qualities which might have been expected from the largeness of his professions. He cast aside honour, integrity, and loyalty, in pursuit of a power which his own crimes ultimately snatched from his hands, through the avenging agency of Hamilton of Bothwellhaugh, yet, such was his cunning, that he contrived, with consummate

address, to veil his vices from the eyes of those to whom they would have been distasteful; and, although almost every prominent action of his life raises its voice in loud protestation against the perversion of such an epithet, he was looked upon as a good man by the Reformers of his own times, and has been regarded as an honest man by many to the present day.

His father, James V., seems to have perceived and dreaded that wild and turbulent ambition which characterized him; and fearing its results if he were permitted to engage in secular pursuits, he placed him in the Church, and endowed him with the rich priory of St. Andrews. But his restless spirit could not endure the quiet monotony of monastic life, and, casting off the cowl, he joined the ranks of the Reformers, and soon became the actual, if not the nominal, leader of their body.

His title of Earl of Murray was an after acquisition, as he received it from Mary herself, soon after her accession; but it will be more convenient to speak of him under this name throughout our narrative, even though we should thus slightly violate chronological truth.

There were, too, some circumstances, which may be denominated local, which tended very materially to influence the character of the Scottish Reformation. Among these, the personal character of the

advocates, who were most, if not all, men of violent dispositions, and the general temper of the nation, deserve our notice ; but the most prominent and important of all will be found in the political constitution of the kingdom. In England the feudal system had given way to the rise of a middle class, which it was the policy of the monarchs to call forth into importance ; and this they did by encouraging the settlement of towns, and by the foundation of municipal corporations. But in Scotland there was nothing like this ; no rise of a middle class, but few towns, scarcely any trade or commerce, and no distinctly municipal government ; so that, from the want of such a centre, the history of the country is rather that of a collection of clans, than of a single and united nation. And as we find that in England the middle class was greatly connected with the change in religion, a circumstance which accounts for the organic character of the English Reformation—the new ecclesiastical forms working into the old system of society ; so in Scotland, from the absence of such a centre, the movement produced a far more violent effect : and the change was not effected without a convulsive action, highly detrimental to the peace and prosperity of the nation.

At an early period, under the regency of the Dowager, the treaty with England was broken off, and Mary was offered in marriage to the Dauphin

of France. This alliance, which was regarded by all parties as a ratification of the ancient friendship which had ever existed between France and Scotland, with equal advantage to both nations, was joyfully accepted by the French, though objected to by some of the reformed party at home; and the infant Princess, then only six years old, was sent to France to receive her education. There we shall leave her for the present, while we revert to the consideration of the affairs of Scotland.

The claims of the Queen Dowager to the Regency had been greatly favoured by the Protestant party, and she had been for a long period a silent spectator of their proceedings, and had hesitated to interpose the strong arm of power to stop their gradual encroachments; feeling, doubtless, that the secular power could but little influence the hearts of men in a matter of such momentous importance. But some few years after she had assumed her sway the general aspect of affairs had undergone a great and striking change. At the former period, the Reformers in Scotland were a comparatively small and insignificant body, possessing but little influence over the majority of the nation, and not at all likely to receive assistance from the adjacent country, governed, as it was, by the Catholic Mary. But at the time of which we now speak, both these circumstances had undergone a vast mutation. The

Protestants, no longer a small and harmless band of sectarians, had been growing in influence and importance, and now demanded from Parliament protection in the enjoyment of their own religious views; while on the throne of England was seated a woman who was regarded almost universally as the head of the Protestant Church, and who did not scruple to assist the Reformers of Scotland in the prosecution of their designs in opposition to the feelings and sentiments of the Regent.

However much, then, we may regret and condemn the course which was taken by the Regent, and the mean and unworthy deceit which she employed in order to bring the Reformers within her power,—and none can fail to visit her conduct in this instance with severe reprobation,—we can scarcely wonder at the change which took place in her views, or be surprised that she, a firm Catholic, thought it her duty to endeavour to put a stop to the prevailing heresy. To dissent, on such a point as this, from an authority of such learning and celebrity as Dr. Robertson, may seem rash and presumptuous; but skilful and elaborate as is his argument with regard to the motives which influenced the Regent to this change of conduct towards the Protestant body,<sup>1</sup> I cannot but believe that her

(1) Robertson's Scotland, i. 173, *et seq.*

course may be more readily and more justly explained, by the consideration of the change of circumstances which I have thus hastily endeavoured to point out.

The Congregation, as the Protestants were now generally called, were soon aroused by the treachery and duplicity of the Regent, to have recourse to arms; and that increased strength and importance which had excited her attention, and called down upon them her severe measures, were now fully manifested. Aided by Elizabeth with money and troops, the Protestant army forced the Regent to evacuate the town of Perth, in which she had taken refuge; and then, having their arms in their hands, and seeming unsatisfied with the victory which they had gained over their Sovereign, this band of fanatics roamed throughout the kingdom, and attacked and ravaged with a blind and eager zeal all the external emblems of the ancient Church. The men whose polluted hearts were temples in which religion would disdain to dwell, and whose knowledge of the real doctrines of the contending sects was as profound as their piety, and as extensive as their benevolence and charity, were still able to deface the images of holy men, which the earnest piety of an earlier age had enshrined in the temple of God, and to desecrate and destroy the churches, beneath whose vaulted roofs had been breathed

forth prayers as pure, as humble, and as acceptable to Him to whom they were addressed, even as those of the Reformer himself; and whose priests, even if they mingled with the pure stream of Christian truth some traces of superstition and of human fancy, yet did not forget their great vocation, to feed the hungry, to clothe the naked, to visit the afflicted, and to impart to the expiring penitent the consolation of a Redeemer's love. These men, of whose rough but earnest zeal so much has been spoken, and whose darkest vices have been magnified into virtues by their adorers, seem to have forgotten that every act of their lives tended to render nugatory the doctrines which they promulgated;—for we can scarcely wonder at the tenacity with which the disciples of Catholicism clung to their own faith, and resisted the persuasions of the Protestants, when we see that the very men who were so active in condemning fanaticism in others, presented the most glaring examples of bigotry and religious persecution in themselves.

The effect of the Reformation upon the character of the Scottish nation, so far as related to their Queen,—for it is on account of its bearing in this respect that it chiefly deserves our notice here,—was two-fold, both national and religious. Catholicism, with them synonymous with Paganism, was of course the main object of their hatred; but from



this religious dislike arose another, directed against the French nation, which was equally important and far more violent, since it was greatly increased by the conduct of the Queen Dowager towards the Reformers, and by the mode of life of some French officers attached to the suite of the Regent, whose code of morality seemed to be somewhat of the loosest.

The progress of the Reformation, by increasing, in a great degree, the study of the languages of antiquity, had caused men to become far better acquainted than formerly with the best writers of Greece and Rome; and from these they had drawn many notions of free government, for which, however excellent they might be in themselves, the world was at that period totally unprepared. These ideas of liberty, which had thus taken root in their minds, soon produced a most unlooked-for and extraordinary fruit. The Lords of the Congregation, being dissatisfied with the conduct of the Regent, called together, without authority to do so, an assemblage of that portion of the Parliament which favoured their own views; and there, having received from Knox and some other of their preachers a declaration that the deposition of unjust rulers by their subjects was not only a justifiable act, but even an incumbent duty, they decided by a formal vote to deprive the Regent of the office which she enjoyed; and the

resolution was communicated to the object of their dislike.

But the Lords of the Congregation soon found, as others in their position had often found before, that a resolution which is planned with the utmost ease in their councils, is far more difficult to carry into execution. A few very feeble and perfectly futile attempts to dislodge the French troops from Leith speedily convinced them of the utter inefficiency of the power which they could command; and, casting their eyes around, in order to select some one to whom they could apply for aid, they at length fixed upon the English Queen. An emissary of their party was sent to the governor of Berwick, who placed in his hands four thousand crowns for the assistance of the rebels, a supply which would have aided their cause in no small degree had it ever reached them. But this was prevented by the sagacity and skill of a nobleman who will hereafter figure very largely in our narrative, and who here comes before us in a very favourable position—the Earl of Bothwell. It has been customary with many historians to assert that this nobleman rose into importance from the personal favour of Mary, a very short period before the death of her husband; and the assertion was not ill-judged, since it has proved a most powerful auxiliary to the cause of her defamers. To stop to refute it here would be out of

place, and moreover unnecessary ; since the strongest proof of the falsity of the statement will be found in the various mentions which will be made of him in succeeding portions of the narrative. The Earl of Bothwell on the present occasion laid in wait for the messenger who was employed, and taking him prisoner, captured the money before it reached those for whose use it was designed.

Secret aid seemed then to be hopeless, and the parsimony of Elizabeth would not allow her to hazard the loss of such a sum again, the more especially as she was thus contributing to swell the coffers of her opponents ; and the Lords of the Congregation retreated in confusion to Stirling on the 6th of November, 1559, scarcely more than two short weeks after the date of their magniloquent deposition of the Regent.

But Elizabeth had not yet deserted them ; and, foiled in her endeavours to communicate secret aid, she threw off the mask, and publicly appeared as the ally of the rebellious nobles. A paper by Cecil, in which he states the grounds upon which it seemed right that Elizabeth should assist the rebels, in his usual style of special pleading, has been preserved. The reasons which he assigns are chiefly these :—that every nation has a right to protect itself against a foreign foe ;—that France was the implacable enemy of England ;—that she was obtaining great

power in Scotland, and consequently would ultimately, unless prevented, conquer the country ;—that such a conquest would be injurious to England ;—and that the Scottish nobles had been defeated in their attempts to resist the French power ;—and from these positions he concluded that it was the duty of England to assist the nobles in their endeavours.

But one fact seems to have been forgotten by those who have paid a tribute of admiration to the statement which we have just recited. By an act of the Scottish parliament, passed November 29, 1558, nearly twelve months previous to the period of which we are now speaking, the Crown matrimonial had been conferred upon the then Dauphin, who was now the King of France, and this dignity invested him with all the rights and privileges of an actual King of Scotland during the lifetime of Mary ; and the two kingdoms of France and Scotland were therefore for the time united under one monarch, and he was a Frenchman. It will surely then be scarcely necessary to show that under circumstances such as these, the insurrection of the Scottish nobles could not be looked upon as a resistance of French invasion, but must be regarded as a treasonable rebellion against the authorities to whom they were legally subjected.

The premises, then, upon which the conclusions of

Cecil are based, are false; but were they correct, his conclusions would be scarcely the less erroneous. Even had it been true that Scotland was resisting a foreign invader, and that that invader was likely to compass the injury of the English nation if successful, the law of justice would not justify Elizabeth in interfering, so long as the government of Scotland saw fit to countenance the aggression,—the more especially since the supposed invader was a nation to which England was then bound by a solemn treaty of amity and alliance.

But Elizabeth was more influenced by the specious arguments of Cecil than by the promptings of generosity and justice; and she hastily despatched a fleet to Scotland, which effected its object by frightening the French into a submission to the insurgents. At the same time a treaty was formed between Elizabeth and the rebels, in which they engaged to prevent any closer union of that country with France, while she was to furnish them with military aid; a document which the admirers of Elizabeth should peruse, since it shows us that she, the stern and unflinching advocate of regal rights, could yet league with their subverters, when her own interest prompted her to do so. The English army invested Leith, in which the French had taken shelter, and the siege was a long and arduous one, but it was at length concluded by a treaty of peace.

But while the siege was yet in progress the Regent died. Before its commencement she had retired to the Castle of Edinburgh, where she had placed herself under the protection of Lord Erskine, one of the neutral peers, and there she expired, her health having been destroyed and her mind harassed and depressed by the misfortunes of her later years. A short time before she died she called to her the Earl of Murray, and some of the heads of the Protestant forces; she lamented to them the errors of her own government, and asked their forgiveness for the faults which she had committed, and concluded with an impressive warning, that while fighting for freedom, they should never forget the loyalty and allegiance which they owed to their sovereign. Well would it have been, both for Scotland and for themselves, had the Regent's dying words been more deeply graven on their hearts.

A few days after the conclusion of the peace, a parliament was held, which was appointed to take into consideration the state of religion, and to signify their sentiments regarding it to the King and Queen. But instead of confining itself within the limits which had been thus assigned to it, this assembly proceeded at once to put into practice the plan, which its members had for so long a period entertained. Having passed an act of

oblivion for the late treasons, which was unanimously agreed to, since the criminals were themselves the legislators, they proceeded, in a few short acts, to subvert the system which it had taken ages to establish; and abolishing the ancient forms of faith, they substituted in their stead a document which had been prepared by some of the Reformed Clergy, and which, of course, embodied their peculiar views. The prelates who were present seemed stunned and bewildered, and offered no opposition to the changes which were proposed.

A question has been raised with regard to the legality of this Parliament, but it is really of little moment, since whatever may be said of the Parliament, there cannot be a doubt that its acts were invalid, since they never received the royal sanction. But they were of course received and recognised as law by those whose views they maintained.

Such then is a hasty sketch of those preceding points of Scottish history which more materially influenced the position of Mary. A full detail I have not attempted to give; but as a slight outline it may not be altogether useless.

When we proceed to examine the state in which Scotland was at the accession of the Queen, the sole object of our past investigation, we shall find, I think, that its society was composed of these

several elements :—a lower class, bigoted and fanatical disciples of the Reformed Clergy, looking upon a Catholic as an idolater, and regarding the mass as an impious profanity ; preachers who rivalled the inquisitors themselves in blind and furious zeal ; and a nobility governed only by principles of interest, and unrestrained from the prosecution of these designs by any considerations of justice, honour, morality, and religion ; while all classes were inspired with new notions of liberty, and a deep hatred of France. And of more prominent evils, she had to contend with a sister Queen, who had already become the ally of her rebellious subjects, and assisted them with money and men ; and a brother, of whom it will not be necessary to speak here, since his own actions form his strongest condemnation, and brand him as an unprincipled hypocrite, a rebel, a traitor, and a perpetrator, under the mask of sanctity, of the vilest crimes. Such was the state of Scotland when Mary ascended its thorny throne.

Let us now revert to Mary, whom we left as an infant sent over to be educated at the court of France.



## CHAPTER II.

MARY'S RECEPTION IN FRANCE—HER BEAUTY AND ACCOMPLISHMENTS—MARRIAGE OF THE PRINCESS WITH THE DAUPHIN—PRETENDED DEEDS—ASSUMPTION BY FRANCIS AND MARY OF THE ENGLISH ARMS—ILLEGITIMACY OF ELIZABETH—WILL OF HENRY VIII.—DEATH OF FRANCIS II.—HIS CHARACTER—TREATY OF EDINBURGH—APPLICATION OF MARY FOR A PASSAGE THROUGH ENGLAND—REFUSAL OF ELIZABETH TO GRANT THIS REQUEST—INDIGNATION OF MARY—HER PREPARATIONS FOR LEAVING FRANCE—VOYAGE FROM FRANCE TO SCOTLAND—NARROW ESCAPE FROM THE ENGLISH FLEET.

THE earlier portion of Mary's life in France will possess but little interest to the English reader; nor is its examination of any real importance. Having been received on board a French vessel, under the command of M. de Vilgagnon, at Dumbarton, she was conveyed to France, and after having been met by the King, Henry II., at St. Germain, with every demonstration of affection, she was conducted to a monastery, in which were educated the daughters of the highest of the French nobility. There, each year added to the surpassing beauty of her person; while the elegance and urbanity of her manners, the mildness and gentleness of her disposition, and the unspotted purity of her life, raised her every day in the affections of

those around her. Of a stature bordering upon the majestic, yet restrained within the limits of feminine beauty; a form in which the slight and delicate proportions of the girl contended with the full and swelling outlines of the woman; every movement marked by grace; in figure she would seem to have embodied all our most ardent imaginings of human loveliness. Her clear and brilliant complexion, in which the roseate flush of youth enhanced the transparent fairness of her skin, was rendered more enchanting by the luxuriant raven locks by which it was surrounded; and her features, faultless in proportion and outline, and her melting eyes, of the softest and deepest blue,<sup>1</sup> combined with her other charms of person, to render her a model of perfection. In all the exercises which the customs of that age allowed to the gentler sex, she was an adept—music, dancing, horsemanship, and the more feminine avocations of the embroidery frame, served alternately to while away her leisure hours. Nor were the more solid charms of mind wanting; for in these she was more especially distinguished. Skilled in all the modern tongues

(1) Mary's eyes have been described as grey by some writers; but it should be remembered that the blue eye—the eye of perfect beauty—was called grey in Elizabeth's age. So Shakspeare makes Venus say—

“ Mine eyes are grey, and bright, and quickly turning.”

And many similar instances could be adduced.

of Europe, she was not unacquainted with the classical languages of antiquity ; and on one occasion she pronounced a Latin oration to some ambassadors in the hall of the Louvre, with a grace and fluency of expression which would not have shamed an orator of ancient Rome. In poetry, an art for the cultivation of which her mind was peculiarly adapted, she was no mean proficient.<sup>2</sup> Her compositions were praised for their elegance by Ronsard, one of the first poets of the age ; and those specimens which have been preserved to us are eminently distinguished for simplicity and artless beauty,—the eloquence of a pure and earnest heart,—while her letters declare her to have been one of the most accomplished correspondents of her time. The offices of religion engrossed a large share of her attention ; and the wants and sufferings of the poor never failed of relief from the overflowing benevolence of her soul. Pious without bigotry ; learned without pedantry ; elegant and accomplished without frivolity ; charitable without ostentation ; majestic and queenly, yet familiar and condescending ; she enchained the affections of all who saw her, and subdued even her enemies by the graces of her person and the perfections of her mind.

(2) " Elle composoit de vers, dont j'en ay veu aucun de beaux et tres bien faits. . . Elle composoit bien de plus beaux et de plus gentils."—*Brantome*, IX. 112. *J. bb*, II. 478.

Passing over a long period of her life in France, the historical monotony of which was varied only by a visit from the Queen Dowager in 1550, we may come at once to the period of her marriage with the Dauphin.

When the princess Mary left Scotland for France, her marriage with the Dauphin was looked upon by most parties, and especially by the French, as a ratification and confirmation of the ancient alliance between the two nations ; and the design entertained seemed to be, that Mary and her husband should reside in France. But the little time which had elapsed, was amply sufficient to show the French how utterly hopeless was the completion of such an arrangement. With the feeling which existed among the Scotch, a French governor would be scouted and despised, while to find a native competent for the task who had not already joined the rebel ranks, would have been an arduous undertaking ; and even had such a man been discovered, the whole supremacy of his employers might be endangered and destroyed by a single act of treachery. The consideration of these circumstances seems to have created some doubt in the mind of the French king, whether it would be more advisable to complete the marriage of Mary with the Dauphin, who would be compelled to remain in France, or to unite her to one of the younger princes of the blood, who might

personally assist her in the government of her kingdom. Powerful as the inducements were to such a course, they seem to have been counter-balanced by other considerations, among which the personal feeling of Mary was perhaps a strong one, and in April 1558, she was married to the French Dauphin.

We are told by many historians, that on the occasion of her marriage, Mary executed three deeds, transferring her kingdom of Scotland after her death, and her right to the throne of England, to her husband Francis, and thus rendering nugatory the treaties which she was at the time signing with her Scottish nobles. Mr. Goodall, in his valuable defence of Queen Mary, has, 'with that critical sagacity and skill which so peculiarly distinguishes his writings, examined the authenticity of these papers, and has inferred with great plausibility, both from external and internal evidences, that they are forged.'<sup>3</sup> The evidence upon which they rest is indeed very slight, while the presumptions against them are numerous and important; but even supposing them to be genuine, their real value, as indications of the character of Mary, seems to have been much exaggerated, since, if they ever really existed, they must be regarded rather as the act of the princes of Lorraine, than as the device and execution of a

(3) Goodall, I. 159, *et seq.*

young girl, hitherto unexperienced in political life, and who had but just attained the plotting and politically intriguing age of fifteen years.

However we may be inclined to decide this disputed question, there was one act of Mary's about this period, of a nature too important to be passed over in silence, which was the cause of many of the calamities of her after life, and which excited in the highest degree the jealousy and enmity of her powerful and not over scrupulous neighbour and rival,—I allude to her assumption of the title and arms of Queen of England. To say that such an assumption was impolitic will be only equivalent to an accusation of imprudence; it will be sufficient for us to prove that it was not unjust.

Since the marriage of Henry VIII. of England with the ill-fated Catherine was dissolved, on the ground of asserted consanguinity—as it was averred that the marriage of that princess with Prince Arthur had been consummated, and that, having been carnally united to his brother, she could not lawfully be the wife of the king—it is clear that, if void at all, it must have been so from the moment when it first took place; and since Elizabeth, the daughter of Anne Boleyn, was born on the 7th of September, 1533, while Catherine of Arragon did not die until the 8th of January, 1536, it is evident that either Mary the daughter of

Catherine, or Elizabeth the daughter of Anne, must have been illegitimate. Such a consideration suggests itself upon the most superficial glance at the facts; but when we examine the circumstances more minutely, it is curious to observe, that whether the marriage of Henry with Catherine was legal or not, his union with Anne was necessarily invalid, and the issue, consequently, spurious. For, if the consanguinity which was put forward as the ground of the divorce did not exist, as Catherine averred, since she declared that her former union had never been consummated, a statement which Henry himself admitted to be true,<sup>4</sup> then, of course, Anne was but the concubine of Henry, during the life of his lawful wife; while, on the other hand, if such consanguinity did exist, and was a just impediment to the union, it would operate equally with regard to Anne, since her sister, Mary Boleyn, had been for a long period the mistress of Henry. Thus, in whatever light we view the question, the

(4) Cardinal Pole, in his letter to Henry, entitled, "*Pro Unitatis Ecclesiasticæ Defensione*," says, "*Tu ipse hoc fassus es, virginem te accepisse, et Cæsari fassus es, cui minime expediebat, si tum de divortio cogitares, hoc fateri.*" (f. lxxxvii. lxxxviii.) Peter Martyr, in a letter dated May 6th, 1509, before the marriage, tells us that the same was the belief in Spain: "*Est opinio sponsum primum intactum, quia invalidus erat ætate non maturæ, reliquisse.*" (Peter Mart. Ep. p. 207.) On this account she was married with the ceremonies appropriated to the nuptials of maids. (Sandford, 480.) For these valuable facts I am indebted to Dr. Lingard, VI. 2, note.

illegitimacy of Elizabeth, and her consequent disqualification for the throne, seems evident and clear. The acts of parliament on the subject are various and conflicting, but the last leads us to the point to which our reasonings have already conducted us. In 1536, the illegitimacy of both the princesses was declared, and the assertion of the contrary was elevated into treason; but, in 1544, a bill was passed, which, although it did not formally revoke the former one, yet restored the two ladies to the rights of succession. But, in 1553, in the second session of the first parliament of Mary, an enactment<sup>5</sup> received the legislative sanction, which differed in its character from both of those which have been recited, in which the divorce pronounced by Cranmer was annulled, and the marriage of Henry with Catherine ratified and declared valid; and thus the bastardy of Elizabeth was declared by the full voice of the parliament, (for this act was never repealed or contradicted by any other,) as it had before been made manifest by the laws of nature and of justice.

This position being established, Mary, as the granddaughter of Margaret, the sister of Henry VIII., was the rightful and legitimate heir to the throne. But an objection has here been raised, which demands our special notice.

(5) *Mariae*, Sess. 2. c. 1.



A statute of the 35 Hen. VIII. had endowed that prince with the power of disposing of the succession by his last will, *signed with his own hand*. Such a will was executed, conveying the regal power to the descendants of his younger sister, Mary, Duchess of Suffolk, before those of Margaret, Queen of Scots; and the signature of Henry exists to it, the original being now in the Chapter-house at Westminster. The only question which can arise, is, whether the signature was affixed by his own hand; since, if it could be proved, or plausibly inferred, that it was not, the will, failing to comply with the requirements of the statute, would be of no effect.

In the latter portion of the king's reign he relieved himself from the signature of the various documents which required his approval, by the appointment of three gentlemen who were to perform the office for him, two of them pressing a dry stamp, cut in fac-simile of his signature, upon the paper, which another traced over the impression thus made with a pen. Every month a schedule of the documents thus stamped was made out, and submitted to Henry for his approval. Now, in the schedule for January 1547, this will is included, and it is there described as one of the documents "which the King's Majestie caused me, William Clerc, to stampe with his Hieghnes secret stamp."

From this, then, it is evident that it was signed through the medium of the stamp, and by deputy, instead of by the King himself. In the reign of Mary, Lord Paget and Sir Edmund Montague bore witness to this fact, upon oath, in the presence of the Council and Parliament;<sup>6</sup> and both these noblemen were present when the signature was affixed.<sup>7</sup> And the assertion is corroborated by the appearance of the will itself, for the signature is uneven, just as would be the case with a tracing, such as that which the use of the stamp involved. "The story of the stamp" does not, then, as Mr. Hallam supposes, "appear clearly to be a fabrication,"<sup>8</sup> but is supported by the strongest evidence which the nature of the case will admit; the declaration of the stamper, made without any object, and in the regular report of the duties which he had discharged, the evidence of two of the witnesses who were present, and whose testimony has not been counterbalanced or overthrown by the conflicting assertions of any others who were present also, and the appearance of the will itself, though this is but a trivial and very disputable species of testimony. It is clear, then, that Henry did not

(6) Lingard, VI. 360, note. Leslie on the Right of the Queen of Scots, p. 98, Eng. Ed. p. 43, Lat. Ed. and Lethington's Letters to Cecil apud Burnet, I. Records, p. 267.

(7) State Papers, I.

(8) Hallam's Const. Hist. I. 395.

sign this will with his own hand ; and this being the case, it could not, according to the statute which authorized it, influence in any degree the succession of the Crown.

Such were the circumstances which seemed to justify Mary in the assumption of the title and arms of the Queen of the English nation,—a dignity which was her own by every law but that of actual possession. And when we consider that her claim was put forward thus silently, and without the slightest token of a design to enforce it,—and that a similar assumption by England of the title of King of France had been made for a long period of time by the English, and permitted to pass unnoticed, while Elizabeth herself quartered the *fleurs de lis* with the arms of her own kingdom, we must admit that this act of retribution on the part of Mary, supported as it was by her actual rights, was scarcely sufficient to call down upon her the vengeance of the English Queen. Had she invaded the realm of England with a French army, and endeavoured to overthrow her who then occupied the throne to make way for her own elevation, then, though Mary would only have been fulfilling her duty to herself and her people, Elizabeth might have had some plausible ground of offence ; but as the case really stood there was not the slightest pretext for the hatred which the

English Queen seems to have from this time forth entertained towards the Queen of Scots.

The death of Francis II. in December 1560, cast a temporary gloom over the life of Mary; and the grief which she felt at the loss of her young husband seems to have been tender and extreme. Retiring from the Court where she had maintained so brilliant a position, its greatest ornament and highest pride, she sought in the consolations of religion a refuge from her afflictions, and poured out in the gentle strains of poetry the excess of her earnest and heartfelt woe. In a letter which she addressed to Philip of Spain,<sup>9</sup> she deplores with natural and simple pathos her melancholy bereavement, calls herself "the most afflicted poor woman under heaven," and declares that the only consolation which remained for her was to see that the loss which she had sustained was felt and deplored by all around her. The character of her husband, though not distinguished by any very marked political abilities, seems to have been one very well adapted to ensure affection, though it might not command reverence or exalted respect. Eminently gentle and amiable, this prince appeared greatly inclined to favour the principles of the reformed party, when their efforts first began to attract

(9) Miss Strickland's *Letters of Mary*, I. 6, 1st Ed.

attention, and he was only induced to withdraw from them his support when he discovered that the innovators in religion were likewise disposed to meddle in political affairs, and that by protecting the Protestants he was really allying himself to those who only waited for a fitting opportunity to overthrow the regal power which he possessed.

But Mary was not long suffered to indulge in these outpourings of grief; for her attention was soon demanded by affairs connected with her Scottish kingdom. When the fleet of Elizabeth, by its arrival in the harbour of Leith, put a stop to the impending hostilities between the Loyalists and the Congregation, a treaty was signed at Edinburgh, by Montluc and Randan, on the part of Mary, and Cecil and Wotton, as the representatives of Elizabeth, in which it was agreed that the claim which had been made by Mary should thenceforth be entirely resigned. Soon after this, Commissioners were sent over to France to demand the ratification of this treaty.

The Scottish Queen seems to have been at first amazed at the suddenness and extraordinary nature of the demand. But soon recovering her self-command, she quickly perceived that, in a matter of an importance so momentous, she was scarcely justified in acting upon her own authority alone; and she determined to proceed to Scotland, and

take the advice of her nobles and people, before she assented to Elizabeth's demands. And in order to save the fatigue and increased risk of the long voyage by sea, she asked to be permitted to pass through the English territories, on her return home.

The Earl of Murray had, as we have seen, taken a very prominent part in the Scottish disturbances, as the leader of the Lords of the Congregation, in their opposition to the Regent. But as soon as death had laid its hand upon that estimable lady, and it became evident that Mary would soon return to assume the government in her own person, this crafty politician hastened to France, and, by a submission as specious as it was insincere, succeeded in soothing the too credulous Mary, and secured her pardon for his past offences. He endeavoured, indeed, to procure an appointment as Governor of Scotland, while the queen herself remained in France;<sup>10</sup> but in this

(10) "Voyant qu'on l'escoutoit, luy qui ne pratiquoit que les despouilles du royaume et ne pretendoit que d'en frauder la juste heritière, afin qu'elle se tint en France, d'où sa mère estoit sortie, s'adressa à Monsieur le duc d'Aumale, oncle maternel de sa majesté, et autres qui avoient l'œil à cecy et estoyent soigneux du bien de ceste jeune Princesse: et avec un beau pretexte coulouré d'une grande justice, et equité (veu que chascun pais et province est desireux d'avoir des gouverneurs de sa langue) les suplie, que pour obvier aux troubles et esmotions qui pourroyent alterer l'estat d'Escosse, ils meissent un gouverneur naturel Escossois au pais: esperant que ce seroit de luy sur tout autre

he was disappointed, since Mary had already resolved to proceed thither in person, and sent him forward to prepare her subjects for her arrival. But he passed through England on his return, and the effect of his machinations were soon visible, in a refusal, on the part of Elizabeth, to allow to Mary a passage through the English realm.

When this reply to her moderate demand was communicated to Mary, she seems to have found it difficult to control her feelings. Sending away her attendants, lest the passion of the moment should induce her to forget the dignity of her station, she appealed to Throckmorton, the English envoy, and exposed to him the hollow hypocrisy of Elizabeth's protestations of friendly dispositions, in terms which show us that she was not the mere gay and frivolous woman which some historians have painted her at this period of her career;<sup>11</sup> to whom a French court was a paradise on

qui seroit fait le choix pour telle charge; s'avancant jusqu'à là qu'il dit, que là ou la royne differeroit d'y pourvoir, la noblesse Escossoise y remediroit, sans attendre son autorité ny consentement."—*Innocence de Marie*, p. 6.

(11) "Mary had none of these intellectual visitations. Before she had reached the term of her minority, she had enjoyed all that grandeur, revelry, dress, and pageantry could yield. Fancy had been long extinguished by the fulness of premature gratifications; and she felt that the usual sources of human joys could give her nothing more splendid or more stimulating, than those which she had been for some years possessing. \* \* \* A French court had become her earthly heaven;—and to quit the saloons

earth, and whose mind had never soared above the gratification of the idle vanity of the passing moment. Telling him that she had made this application to his mistress, not because she needed her assistance, but as a touchstone of the real friendliness of her intentions, she reminded him how little trust could be reposed in one who, after making professions so boundless, had refused to grant a favour so insignificant in its nature. She confessed that she was inexperienced in the strifes and turmoils of the world, but time would speedily remove this deficiency; and, since Elizabeth had taunted her with her youth, she would be unwilling to show herself so simple and ill-advised as to proceed in a matter of such pressing moment, without fortifying herself with the advice of the people whose guardian she was, and whose interests and wishes it was her first duty to consult.<sup>12</sup>

and equipages and courtesies of Paris, was to abandon that paradise to which her heart was wedded."—*Turner's Hist. of Eng.* III. 594. And yet the moment her husband died she voluntarily left this earthly heaven, and resided in the country, far from the capital, during the remainder of her stay in France. And from what we have already seen she might have continued to reside there, deputing the government to her brother, had not her mind, more elevated than this historian would paint it, recognised the high duties of her station, and admonished her to assume in person the reins of power.

(12) "She having removed all standers by, spake in this manner to Throckmorton: 'What my womanish infirmity may be, and



But though she thus defied the enmity of Elizabeth, and determined to proceed to Scotland spite of any opposition which she might interpose, it was

whither my heate of minde may cary me, I know not; yet I list not to have so many witnesses of my infirmity, as your Mistresse had of late, when she spake to my ambassadour D'Oisell. There is nothing vexeth me so much, as that I have asked those things which I needed not. Returne into my country I can (God willing,) without asking her leave, as I came hither contrary to the will and resistance of her brother King Edward. Neither do I want friends, which can and will bring me home againe, as they brought me hither. But I chose rather to make tryall of her friendship, then of any others whosoever. I have often heard of you, that amity betwixt me and her is most necessary for your people of both kingdomes. Yet she seemeth to thinke otherwise, else had I not borne the repulse in so small a matter. But she peradventure favoureth more the Scots my rebels, then me the Queene of Scots, her equall in the same heighth of Royall Majesty, in blood most neere her, and her most undoubted heire. Can you thinke there can be that true faithfulness and love betweene the Scots my rebels and her, which may be betwixt her and me? Or doth she thinke I shall be destitute of friends? Certainly she hath driven me to that passe, that I have craved helpe of them, of whom willingly I would not. Neither can they sufficiently wonder to what intent she hath of late ayded my subjects against me, and now hindereth my return to mine owne country being a widow. Besides her friendship I aske nothing at her hands; I trouble her not, nor intermeddle with English matters. Yet am I not ignorant that there are many in England, that are not well contented with the present times. She upbraydeth mee that I have small experience. I confesse it; age bringeth experience. Yet have I age enough to carry myselfe friendly, and justly toward my kinred and friends, and to blab abroad nothing against her, which may be unworthy a queene and my kinswoman. Let me also say by her favour, that I am a queene as well as shee, and not bare of friends, and that I beare a minde as high as she: so as wee may offer equall measure one to another. But I forbear comparison, seeing it differeth not much from contention,

with no very glad or cheerful feelings that she prepared to leave her beloved France, and to cut herself off for ever from all that she held dear on earth.

and is not without envy. As for the treaty of Edenborough, it was made in the king my husbands life-time, whom I was to obey in all things as in duty I ought: and whereas he deferred the confirmation thereof, let the blame lye upon him, and not upon me. After his death, the councell of France left me to mine owne councell, neither would my uncles intermeddle in Scottish matters lest they should give offence to Queene Elizabeth, or to the Scots. The Scots that are here with mee, are private men, and not such as I may take to counsell in so weighty matters. As soone as I shall have consulted with the estates of my kingdome, I will give an answer to reason: and that I may give it the sooner, I hasten my journey homewards. But she determineth to stop my journey so as shee herselfe is in cause that I cannot satisfie her, or else will not be satisfied: happily to the end we may have no end of discords betwixt us. She reprocheth me many times that I am young: and young indeed she may thinke me and unadvised, if I would treat of matters of so great importance, without the advice of my estats. The wife (as I have heard) is neither bound in honour, nor conscience, by the husbands deeds. But that matter I dispute not. Yet this I may truly say, I have done nothing to my dearest sister, which I would not have to be done unto my selfe. I have done her all the best offices of kindnesse: but she either beleeveth not, or contemneth it. Would to God I were as deare to her, as I am neere her in blood: for this were a precious kinde of kinred. God forgive them, (if any there be,) which sowe dissentions betwixt us. But thou that art an ambassadour, tell me I pray thee, for what cause she is so displeased against me, which have never yet hurt her in word nor deed.'

"Hereunto Throckmorton answered: 'To answer your Majesty I have no commission, but to heare your answer touching the confirming of the treaty of Edenborough. But if you please to heare the cause of her displeasure, I will briefly declare it, laying aside the person of an ambassadour. As soone as the Queene my mistris was crowned, you usurped the armes and the

Conveyed to that country, when her tender years scarcely permitted her to retain a recollection of the land of her birth, educated amidst a people whose warm and open disposition harmonized well with her own frank and generous spirit, and among whom the peace of social existence was undisturbed by foreign invasion, by internal dissension, or by sectarian fury;—idolized by all who thronged her court, not more for her personal loveliness than for the spotless and irreproachable purity of her life; it was not unnatural that she should regret to leave the soil beneath whose bosom were interred the earthly relics of him she had held most dear, and whose sunny groves were associated with the happiest moments of his short career. And while these allurements

title of the kingdome of England, which you did not before in the raigne of Queene Mary. Whether a greater injury can be offered to a prince, you may in your wisdom judge. Certainly such a wrong even private men cannot digest, much lesse princes.'

"'But,' (said she,) 'my husband's father, and my husband himselfe would have it so, so they commanded. Since the time that they dyed, and that I have beene mine owne free woman, I have quite abstained from those armes and title. But yet I know not whether it be any prejudice to the queene, if I being a queene also, whose grandmother was King Henry the Eighth his eldest sister, should beare those armes, seeing others in kindred more remote have borne them. And certainly Courtney Marquesse of Excester, and the Dutchesse of Suffolke, neere to King Henry the Eighth by his younger sister, bare the armes of England by speciall favour, with limbes, or borders for a difference.'"—*Camden*, I. 50—52.

surrounded the spot which she was to leave, what a gloomy and forbidding aspect was presented by that which she was about to enter ! Herself, in her earlier years, an object of contention among its factious nobles ;—her mother harassed in her administration and brought to an early grave ;—the religion in which she had been educated persecuted with unrelenting fury by the advocates of liberty of conscience, and the sacred moments of her first and bitterest grief invaded by its political dissensions, Scotland could scarcely possess for her many charms. As a Queen of France, she must look for the national, and as a Catholic, for the religious hatred of her people. Mary has been condemned by Mr. Turner,—a gentleman with whom Elizabeth seems to be the model of queenly and womanly perfection, and in whose scale of excellence Mary is consequently very low,—because she was not inspired with joy at the prospect of mounting an undivided throne, and swaying the destinies of a bold and restless people, and because she was not induced by these considerations to banish from her mind regrets, which he is pleased to denominate unreasonable in a woman of sense.<sup>13</sup> But I confess that

(13) "Regrets like these seem unreasonable to our calmer consideration, in a woman of sense, who was exchanging one country, in which she could now only be a subject, for another of which she was the rightful, and in which she might be the idolized, Queen."—*Turner's Mod. Hist. of Eng.* III. 593.

my own admiration of her is not decreased by the conviction, that the affections of home and kindred found a place in her widowed heart, and that not even the prospect of future glory could entirely drive from her mind those sorrows which naturally overcame her when parting from the scenes of her joyous childhood, the faces, upon which from her earliest youth she had gazed with reverence and affection, and the hills and groves which were hallowed by an association with the object of her young and earnest love. The strength of mind, as some might call it, or the callous indifference, as others would denominate it, of Elizabeth, would have resisted these impulses of nature, and hurried with ambitious eagerness to the enjoyment of new sovereignty and higher powers; but the warm and sensitive heart of Mary yielded at their approach; and, as it marked her as the true and gentle woman, should ensure her our sympathy, our reverence, and our love.

The first incident of her voyage was not one calculated to dissipate the gloom in which her spirits were plunged. Scarcely had she set foot on board the vessel which was to convey her away, hardly had the oars of the galley-slaves kissed the cresting waves, when a vessel, mistaking the current, foundered in her sight, and most of the mariners, after a vain struggle, were

drowned in the angry flood. But a favourable breeze soon arose, the sails were spread, and the coast of France began rapidly to retreat from her view. Leaning over the stern of the vessel, she burst into a flood of passionate tears, and, with a voice broken by her sobs, bade farewell to the land of her earliest joys. As the shades of night fell upon the scene, it was with difficulty that she could be induced to retire to rest. She complained that the darkening night, jealous of her pleasure in looking upon the beloved coast, was spreading a black veil before her eyes, to deprive her of this cherished happiness; and, reclining upon a couch spread for her upon the deck, she desired the steersman to wake her with the earliest dawn, if the land could yet be seen. In the course of the night the wind dropped, and in the morning the shore was visible in the dim haze of distance. Aroused by the steersman with the wished-for news, she strained her eyes towards it until distance set vision at defiance; and then her grief knew no bounds. At this sudden realization of her eternal separation from her early home—"Adieu! France!" she cried, "it is done now. Farewell! France! I think I shall never see you again."<sup>14</sup>

(14) Brantome.

A thick fog soon fell upon her fleet, and it is to this circumstance that we must attribute her safe arrival in the Scottish realm. Immediately after the refusal of Elizabeth to allow Mary to pass through England, a fleet had been fitted out by that Queen with the avowed object of cruising for pirates in the Channel, though it was suspected at the time, and with great show of reason, that the real aim was the capture and detention of the Scottish Queen:<sup>15</sup> and Lord Keeper Bacon, in a Council held in 1562, the minute of which exists in the library of the University of Cambridge, in a MS. entitled "*Placita secreti consilii*," declared most distinctly that this had been its true object. One of her vessels, containing the Earl of Eglington, was captured and searched; but the rest escaped, favoured by the mist which prevailed. Whether these vessels were really sent to intercept Mary is a point of but slight moment, since the spirit of the English Queen was sufficiently shown by other portions of her conduct; but, with regard

(15) "Others thought they were sent to intercept her. For James the Bastard, returning very lately thorow England, had given secret warning to intercept her, if Queene Elizabeth would provide for Religion, and her owne safety."—*Camden*, I. 53. "I have shown your honour's letters unto the Lord James, Lord Morton, and Lord Lidington. They wish, *as your honour doth*, that she (Mary) might be stayed yet for a time; and if it were not for their obedience sake, some of them care not, though they never saw her face."—*Randolph to Cecil*, ap. *Stephenson*, 89.

to the assertion of Elizabeth and her ministers, it may be sufficient to remark that, when Winter sailed with a fleet to Scotland to assist the rebels, and compel an amnesty between the contending parties, it was asserted that he had exceeded his commission, having been only sent to convey a fleet of victuallers to Berwick ; while, in fact, he took on board from London six hundred arquebusiers ; and his instructions, which are yet extant,<sup>16</sup> show, that the assistance of the malcontents was the real object of his expedition. Those who could fabricate the one falsehood, would not scruple to circulate the other. But it was ever so with Elizabeth ; her unlawful designs were executed by her servants at her command, and then the obloquy of her crimes was cast upon them, and they were sacrificed to sustain the character of the virgin Queen. Davison was a memorable example of this ; and Paulet would have fallen into the same trap, had not his penetrating sagacity and high sense of honour caused him to elude the snare which was thus set for his destruction.

(16) Chalmers, I. 28.



### CHAPTER III.

RECEPTION OF MARY IN SCOTLAND—INSULTS OFFERED TO HER BY THE REFORMERS—DEMAND FOR THE CONFIRMATION OF THE TREATY OF EDINBURGH—THE ENGLISH SUCCESSION—CHASTELLART—SUITORS FOR MARY'S HAND—DESIRE OF ELIZABETH TO PREVENT HER MARRIAGE—THE ARCHDUKE CHARLES—THE EARL OF LEICESTER—THE CHARACTER OF LEICESTER—INTRODUCTION OF DARNLEY TO THE SCOTCH COURT—THE EARL AND COUNTESS OF LENNOX—ARRIVAL OF DARNLEY—HIS CHARACTER—DAVID RICCIO—OPPOSITION OF ELIZABETH TO THE MARRIAGE OF MARY WITH DARNLEY—REBELLION AND CONSPIRACY OF MURRAY—MARRIAGE OF MARY.

THE reception which Mary experienced from her people, when she landed on the shores of Scotland, seemed to evince that her fears had been in a great measure ill-founded, and that her anticipations of the sentiments of the nation were but little likely to be fulfilled. Although, in order to disappoint the schemes of her enemies, she had sailed a fortnight before the appointed time, and consequently arrived before any preparations had been made to receive her; yet no sooner had she entered the town of Leith, than the nobility and gentry flocked in from every side to pay homage to their young and lovely Queen. The boding fears which had long harassed her mind, were dispelled: with the natural elas-

ticity of youth, her heart freed itself in a great measure from the grief which had before clouded its serenity, and mounting upon her palfry, she proceeded in triumph to Edinburgh, amid the shouts and rejoicings of her people, who seemed for the moment to cast aside the influences of political and sectarian fury, and to join with one accord in admiration of their accomplished monarch. Her first acts, which sufficiently show how false are the allegations of historians that her conduct was regulated by the house of Guise, exhibited her own conviction of the folly of religious constraint, and her determination not to interfere with the conscientious convictions of her people. Not a single member of the Catholic Church was admitted to any great degree of influence;<sup>1</sup> very few were admitted into her council; and a proclamation was issued, declaring any attempt to interfere with or subvert the established Protestant faith a capital crime;<sup>2</sup> while the highest offices were committed to the Earl of Murray and Maitland of Lethington,<sup>3</sup> the chief leaders of the Congregational party during the late insurrection.

(1) Knox, 285.

(2) Keith, 504, 510. "She being returned, used all gentleness towards her subjects, altered nothing in Religion, (though tumultuously brought in,) and began to order and governe the Commonwealth with passing good Ordinances."—*Camden*, I. 53.

(3) "Committing the chief handling of her affairs unto her brother, the Prior of St. Andrews, whom afterwards she made Earl of Murray, and to the Secretary Lidingtoun."—*Melvil*, 32.

In return for these privileges conferred on her subjects, Mary demanded only the quiet exercise of her own mode of worship, the protection of her Catholic subjects, and the liberty to facilitate, by moral means, and without the use of physical force, the spread of her own views, and to sustain the influence of the Catholic Church. But these martyrs to liberty of conscience, these men who in the great cause of religious freedom were willing to shed the last drop of the blood which coursed through their veins, seemed to understand the term only as applied to themselves; and while they claimed and received from their sovereign the power to worship their Creator as their own free will dictated, they were unwilling to extend this privilege even to their Queen, and denied it entirely to her Catholic subjects. On the evening of the day on which she made her entry into Edinburgh, she was compelled to listen to a knot of fanatics, who amused themselves with singing some of the mellifluous psalms of the early Reformers beneath her window:<sup>4</sup> on the succeeding morning, one of her domestic chaplains nearly fell a victim to the

(4) "A company of most honest men, with instruments of music, and musicians, gave their salutations at her chamber window." *Knox*, 306. "In the evening, at the Abbey of Edinburgh, when she wished to lay down, came five or six hundred raggamuffins of the city, saluting her with some wretched fiddles, and little rebecks, which abound in this country, and began singing psalms, as badly and discordantly as could be."—*Brantome*.

fury of the populace, who stigmatized him as a priest of Baal ;—the Lord Lindsay declared that the idolater should die the death ;<sup>5</sup> the preachers from their pulpits averred that one mass was more to be feared than the landing of ten thousand hostile troops ;<sup>6</sup> and had it not been feared that a denial would force her to return to France, even the private exercise of her religion would not have been allowed to her.<sup>7</sup>

Such conduct might have been regarded as the first ebullition of sectarian excitement against a Church over which they had recently triumphed ;

(5) "When preparations began to be made for the idol of the mass to be said in the chapel, the Lord Lyndsay, with the gentlemen of Fyfe, and others, plainly cried in the yard, 'the idolatrous priests should die the death.' One that carried the candle was evil afraid ; there durst no Papist whisper." *Knox*, 306. The same writer, in another place, mentions a proclamation by the Earl of Arran, that idolaters were to die the death ; that to say mass was to commit idolatry, and was more abominable than to commit murder ; and he calls this "a stout and *godly* protestation."—*Knox*, 308.

(6) *Knox*, 287.

(7) "The council assembled, and politic heads were sent unto the gentlemen, with these persuasions ; 'Why will you chase our sovereign from us ? she will incontinently return to her galleys, and what then shall all the realm say of us ? May we not suffer her a little while ? I doubt not but we shall leave it. Her uncles will depart, and then weshall rule all at our own pleasure.' With these and the like persuasions was the fervency of the brethren quenched." *Knox*, 307. Surely this advice to dissemble until Mary had no longer the power to escape scarcely deserves the epithet of "just," which is awarded to it by Mr. Turner.—*Turner's Hist. of Eng.* IV. 2.

and it might have been hoped that these insults would in time be entirely discontinued. But every day seemed to increase the fury and malignity of the Reformers. A proclamation was issued by the magistrates of Edinburgh, commanding all the Catholic priests to leave the city on pain of death,<sup>8</sup> and including in the denunciation all obstinate Papists,<sup>9</sup> which would of course apply to the Queen and all her suite ; and because she punished those who thus insulted her, she was denounced as a favourer and protector of fornicators and idolaters.<sup>10</sup> The gaiety of manners which she had acquired while in France was declared to savour of levity and frivolity ; and a declaration made privately to her brother of her steadfast adherence to Catholicism,<sup>11</sup> was magnified into a determination to restore the Catholic ritual throughout the land. The prayers which were offered up in the Reformed Churches pointed at her in the most direct terms,

(8) " All monks, friars, priests, nuns, adulterers, fornicators, and all such filthy persons, to remove from the town in twenty-four hours, under the pain of carting, burning on the cheek, and banishment for ever."—*Keith*, 192.

(9) " No mass-monger, no obstinate Papist that corrupted the people, such as priests, friars, and others of that sort, should be found in the town."—*Knox*, 316.

(10) *Knox*, 292.

(11) " Lord James disclaiming all disloyalty, she replied, ' Yes, but ye are not of the church that I will nourish. I will defend the Church of Rome ; for I think it is the true church.' "—*Knox*, 314.

and besought her conversion as necessary to the welfare of the nation ;<sup>12</sup> and Knox, growing bold from repeated triumphs over a weak and unprotected girl, raised a doubt of the propriety of obeying one who adhered to a course of idolatry and sin.<sup>13</sup> During the absence of the Queen, some of the populace of Edinburgh broke into her chapel, and defaced and outraged the sacred building ; and when it was proposed to bring these desecrators to trial, Knox called upon the leaders of the Protestant party to make common cause with the malefactors, and by his violence succeeded in defeating the ends of justice. When dining in the castle of Edinburgh, shortly after her arrival, a little boy, descending, as it were, from a cloud, presented to her the Bible of the Reformers ; and in order to make the insult the more pointed, the hall in which she was, was decorated with paintings representing the punishments of God inflicted upon those who had been guilty of idolatry, a term with which the name of Catholicism was exactly synonymous among the Protestant party ; and, to add to her sorrows, the Earl of Murray, who had hitherto espoused her cause, joined with her persecutors, and was concerned in a brutal and unmanly assault upon the ministers of her chapel.<sup>14</sup>

(12) Keith, 179.

(13) Keith, 202.

(14) " Her Grace's devout chaplains would, by the good device

An event soon occurred which gave these zealots fresh ground for complaint, but which also served to exhibit the inconsistency of their conduct. Some young French nobles who had come over in the suite of Mary, among whom was the Marquis of Elbeuf, had proposed after a carousal to visit a woman named Alison Craig, whose character was far from spotless ; but when, on reaching her abode, they were refused admittance, they broke the windows and engaged in some other disorders, as a token of their disappointment and anger. The matter was brought before the General Assembly, and the Queen was besought to punish with the severest penalties the authors of this terrific outrage. But the breaking the windows of a brothel (if I may be allowed to borrow the expression of Hume), does not seem to have been in the eyes of Mary a crime which called for such stern retribution, and she replied by excusing the Marquis on account of his youth and levity ; representing that he was but a temporary guest in her Court, and promising to put a stop to any similar occurrence in future. But her lenity was probably induced by her knowledge of another fact, which will save us from the necessity of further comment, that this

of Arthur Erskine, have sung a high mass. The Earl of Argyle, and Lord James (Murray) so disturbed the Queen, that some, both priests and clerks, left their places with broken heads and bloody ears."—*Randolph ap. Keith*, 190.

same Alison Craig was then the known mistress of the Earl of Arran,<sup>15</sup> one of the principal leaders of the party of the Reformers, whose zeal in their cause incited them to overlook the irregularity of his conduct, though they could visit with the utmost rigour a similar offence when perpetrated by a member of an adverse faith. And, to close all, the Assembly of the Church, which had been allowed to remain untouched only by her clemency and favour, presented to her an address, in which, after declaring the mass to be a bastard service of God, and exhorting her to abstain from an impiety which could not fail to bring down the divine vengeance upon the nation, they concluded with a demand, which may be taken as somewhat indicative of the general motives of their conduct, for an addition of power and property to their own body.<sup>16</sup>

From the consideration of these domestic difficulties she was soon recalled by the importunities of Elizabeth, who again earnestly demanded the ratification of the treaty of Edinburgh, and the resignation by Mary of all claim to the English throne. Had the object of Elizabeth been simply to obtain the withdrawal of expressed pretensions to the throne, she would have been satisfied long ere this, since Mary had, on the death of her

(15) Knox. Keith. Hume, V. 55.

(16) Knox, 311, 312.



husband, relinquished the use of the English arms and title, the assumption of which had given so much offence.<sup>17</sup> But there was evidently a deeper end in view ; and what this was, is made manifest by the wording of the treaty itself. The clause which had been penned by Cecil, and concerning which the whole dispute had taken place, agreed, "*That for the future* Mary should not assume the title of Queen of England ;" a stipulation which might have been used, if entered into, to bar the ultimate succession of Mary, in default of the heirs of the English Queen. And that such was the real aim was evident from the conduct of Elizabeth ; since, when Mary offered, some little time after, to abstain from the assertion of her title during the life of Elizabeth, her proposition was rejected, and her assent to the original provision again demanded.<sup>18</sup>

Unwilling to excite the enmity of a neighbour who had the power to injure her so greatly, and whose friendship and alliance she had always been anxious to secure, and, on the other hand, loth to abandon the rights which belonged as much to her subjects as to herself, Mary endeavoured to effect a compromise ; and made an offer, apparently

(17) "But," said she, "my husband's father, and my husband himself, would have it so ; so they commanded. Since the tyme that they dyed, and that I have beene mine owne free woman, I have quite abstained from these arms and title."—*Camden*, I. 52.

(18) *Rapin*, II. 64.

reasonable in itself, to ratify the treaty if Elizabeth would recognise her as the next heir.<sup>19</sup> Such a proposition as this was at once an evidence of her pacific wishes, and a test of the sincerity and friendship of Elizabeth; and in this last character it produced the effect which we might have expected from the other circumstances which have engaged our notice. She answered the ambassador with her customary cunning; declared the earnest desire of amity which reigned in her breast, and promised to do nothing which could derogate from the right of the Queen of Scotland to the English succession; but at the same time refused to comply with her request, averring, that as men were always inclined to look rather at the rising than at the setting sun, so the determination of the succession during her own life would destroy her security, and she would thus, while she lived, lay her own winding-sheet before her eyes, and make her own grave while she herself lived and looked on.<sup>20</sup> This offer rejected,

(19) "To Queene Elizabeth, she sent Lidington with her owne letters, and the letters of the Scottish nobility, wherein she expressed all desire to enter into and keepe peace, and requested her that some certaine course of peace might be taken between England and Scotland; but a more certaine course was there none, then if Queene Elizabeth would, by authoritie of Parliament, declare her heire apparent, next to succeede her in her kingdome of England, in case she should have no issue."—*Camden*, I. 53. *State Pap. Hardw.* I. 174. *Buchanan*, 329. *Haynes*, 377.

(20) "Shee answered, 'That as for the succession, she hoped that the Queene of Scots would not take away the sceptre from

no further arrangement was proposed by the Scottish Queen ; but she often and earnestly pressed the demand which she had already made, and for the approval of which she became the more eager, as the English cabinet showed themselves less and less inclined for its reception. In a letter to Elizabeth, dated from Seyton, the 6th of January, 1562, she urges upon her all the advantages which would result from such an arrangement as she desired ; and after declaring, in a manner which shows that she fully understood Elizabeth's designs, her readiness to assent to any treaty which secured her ultimate interest in the English Crown, she concludes :—

“Which matter being once in this sort knit up betwixt us, and by the means thereof, the

her and her children, if she should have any. She promised to derogate nothing from her title to the sceptre of England, though shee, through the over hasty ambition of others, arrogated the title and arms of England, for which injury it was meete she should make satisfaction. By desiring (*query* defining ?) her her successor, she feared lest amity would rather be dissolved than confirmed, forasmuch as to those that are in place of government, successors are alwayes suspected and envyed, the people (such is their inconstancy,) in a loathing of thinges present doe looke to the sun-rising, and leave the sun-seting ; and the designed successors themselves are not able to limit their owne and others wicked hopes within the bounds of equity and reason. So, as if shee should confirme unto her the succession, shee should quite cut off her owne security, and in her life-time lay her owne winding-sheeete before her eyes, yea, make her owne grave, while she liveth and looketh on.”—*Camden*, I. 53, 54.

whole seeds of dissension taken up by the root, we doubt not but hereafter our behaviour together, in all respects, shall represent to the world as great and firm amity as by stories is expressed to have been at any time betwixt whatsoever couple of dearest friends mentioned in them, to the great comfort of our subjects, and perpetual quietness of both the realms, which we are bound by all good means to procure. We leave to your own consideration what reasons we might allege to confirm the equity of our demand; and what it is probable that others would allege if they were in our place, which we pass over in silence.

“You see what abundance of love nature has wrought in our heart towards you; whereby we are moved rather to admit something that others, perchance, would esteem to be an inconvenience, than leave any root of breach; and to set aside the manner of treating accustomed among other princes, leaving all ceremonies, to propose and utter the bottom of our mind nakedly, without any circumstances: which fashion of dealing, in our opinion, deserves to be answered in the like frankness.

“If God will grant any good occasion that we meet together, which we wish may be soon, we trust you shall more clearly perceive the security of our good meaning, than we can express by

writing. In the mean season, we desire you heartily, as you term us your good sister, so imagine with yourself that we are so in effect, and that you may look for no less assured and firm amity at our hands than if we were your natural sister indeed. Of this you shall from time to time have good experience, so long as it shall please you to continue on your part the good intelligence begun betwixt us. And thus, right excellent, right high and mighty princess, our dearest sister and cousin, we commit you to the tuition of the Almighty." <sup>21</sup>

This letter goes far to prove that Mary was not the mere creature of sensation, the gay butterfly of the Court, undistinguished by eminent intellectual qualifications, which some historians have represented her to have been at this period of her life.<sup>22</sup> I know not what may be its effect on others, but to me it appears more genial, more womanly, and more human (if I may be allowed the phrase), than all the stiff and pedantic epistles of the English Queen.

A circumstance occurred about this time (the winter of 1562) in Scotland, of a very unhappy character, though, so far as we can see, blame can be reposed only on the perpetrator of the

(21) Mary ap. Haynes, 378.

(22) Turner's Hist. of Eng. III. 593, *et seq.*

offence. In the retinue of Mary, which accompanied her from France to Scotland, was one Monsieur Chastellart, a gentleman of Dauphiné, whose heart seems to have fallen a victim to the perfections of his queen. In the memoirs of Brantome, we find some ebullitions of his devotion, while upon the voyage from France to Scotland; but all these symptoms were concealed from Mary; and, even had they met her ear, his high-flown compliments and rhapsodical encomiums would have been attributed to the spirit of exaggerated flattery which seemed to pervade the Court of France, as well as that of England, in that poetic age. But at length his passion became ungovernable, and he managed to secrete himself in her apartment, intending, as he himself confessed, to have attempted by force the accomplishment of his designs.<sup>23</sup> He was discovered, however, and carried away before she retired to rest; and on the matter becoming known to the Queen on the next day, he was ordered from her presence, but his offence was pardoned out of regard to his birth, since, on the mother's side, he was related to Monsieur de Bayard. Carried away, how-

(23) "He confessed privately more than he spoke openly. His purpose was that night he was found under her bed to have tried her constance, and by force to have attempted that which, by no perseverance, he could attain unto."—*Randolphe ap. Von Raumer's Eliz. and Mary*, 22.

ever, by his passion, and forgetting the clemency of his sovereign, he repeated the offence, and, being then delivered over to the judicial power, was beheaded in the market-place of St. Andrew's.<sup>24</sup>

Mary has been condemned<sup>25</sup> as cruel, because she did not save Chastellart from the axe of the executioner, taking pity upon his youth and her devotion to herself. But the objection was answered, even before it had been made. Brantome, himself an intimate friend of the offender, in his relation of these events, justifies in the fullest manner the conduct of the Queen. He says,

“Aucuns ont voulu discourir à quoy il l'appelloit tant cruelle ou si c'estoit qu'elle n'eut eu pitié de son amour ou de sa vie. Là dessus qu'eut elle sçeu faire? Si après le premier pardon elle eut donné le second, elle estoit scandalisée par tout, et pour sauver son honneur il falloit que la justice usat de son droit.”<sup>26</sup>

And, indeed, it is but too probable, that had she extended her clemency to the offender, the same men who now denounce her as severe, would have been ready to come forward and accuse her of a connexion with the criminal, because she extended

(24) Jebb, II. 496.

(25) “It was harsh and cruel in the Queen to deliver him up to the axe of the executioner.”—*Von Raumer's Eliz. and Mary*, 23.

(26) Jebb, II. 497.

to him her forgiveness, and pardoned his heinous transgression.

Mary had now been three years a widow, and, young and lovely as she was, and the monarch of an important, though somewhat unruly nation, it might be expected that many candidates would present themselves for her hand. And this was in truth the case; the first who offered himself being the Archduke Charles of Austria, who in August 1563 was recommended to her by the Cardinal of Lorraine.

For many reasons, it appeared to be the object of Elizabeth to prevent the marriage of the Scottish Queen. Precluded, as some say by her pride and caprice, or, as others aver, by impediments of a less surmountable nature,<sup>27</sup> from entering into a matrimonial alliance herself, she seems to have been ever jealous of the enjoyment of such a privilege by others; and while Mary, even amid the distracting sorrows of her English captivity, seemed never happier than when promoting the social happiness of her servants by their marriage, Elizabeth appeared to desire the extension of the monastic vow of celibacy, or, we may more correctly say, abstinence

<sup>27</sup>(27.) "Ob nescio quam muliebrem impotentiam." *Camden*, I. 83. "Pericula ex conceptione et puerperio, a medicis et mulierculis ex abditis causis objecta, quæ sæpe animo observabantur admodum deterruerunt."—*Camden*, III. 9.



from marriage, to all around her. Vain of her somewhat doubtful charms, and pleased to receive the worship and homage of a host of flatterers, she made her own sweet person the prize which all were to contend for, but none ever to obtain.

But there were other and special reasons which induced her peculiarly to discourage the marriage of Mary. While that princess remained single, the intrigues of Elizabeth among her subjects could meet with but feeble opposition from her single hand; while the loyal portion of the nobles, unbacked by any foreign power, could render but little assistance to their Queen; but if she should unite herself to the monarch of any important European nation, her power would be so greatly augmented, and the decision of her sway so much increased by the sharing of the sceptre with a male possessor, that all the influence of England would be overcome, and the power of Elizabeth in Scotland would be extinct for ever.

The first object, then, towards the discouragement of the proposed match, was the drawing off the Archduke from his pursuit, and this was sought to be effected by presenting to him a higher prize,—no less than Elizabeth herself. Charles had been already, through his father the Emperor Ferdinand, a suitor for her hand, but the negotiations, which do not seem to have been carried on with much

spirit or eagerness by either party, were broken off, because the English Queen, in answer to the very reasonable request of Charles, to be allowed a private Catholic chapel for his own use, declared that she could not connive at the celebration of an idolatrous worship. So uncourteous a reply might have cooled a strong degree of affection; but as neither the Queen nor the Archduke seem to have had much feeling about the matter, the sudden rupture was not attended with much manifestation of regret by either party. But now it was necessary again, if possible, to ensnare him, in order to prevent his marriage with the Scottish Queen. For Elizabeth to have made the first overture, would have been almost too indelicate a proceeding to be approved even by her, and an endeavour was consequently made by some of the emissaries of Cecil, to invite Ferdinand to make a second offer of Charles's alliance. But the Emperor, angered at the vacillating character of the treatment which he had before received, and stung by the last insult to the religious professions of his son, declined to gratify in this particular the wishes of the English Court.

And even had he assented to their schemes, the difficulties would have been very far from being entirely overcome, for Charles was by no means the only suitor to the Scottish Queen. The Duke d'Anjou, the brother of Francis II., and for a long

period the lover of Elizabeth, was first an aspirant for the hand of Mary ;—the Prince of Condé sought her love, and the Dukes of Ferrara, Orleans, and Nemours swelled her list of suitors. Even had she been left to her own inclination, there is, I am disposed to think, but little probability that she would have assented to an union with either of the nobles named, for the general feeling of her people was very strong against a foreign alliance, and their sentiments, as they had guided her in her public measures with regard to the national religion, would probably have governed her in this particular also ; and her own mind may be supposed to have been somewhat influenced by the urgent remonstrances of Elizabeth, backed as they thus were by the known wishes of her subjects.

But the English Court, baffled in their first device, had recourse to another expedient, which must ever remain, in some degree, an historical problem ; though its difficulties may be so far removed, as to enable us to come to a satisfactory opinion with regard to it. When the Emperor Ferdinand had refused to afford his aid to the schemes of Elizabeth by a second matrimonial offer of his son, it was decided to offer the Earl of Leicester to Mary as a husband, and to press her to accept him, by holding out to her some vague promises of the settlement of the succession to the

English Crown,<sup>28</sup>—promises so carefully worded, that, though never violated, they might yet never be fulfilled.

That Elizabeth was really sincere in this offer, and that she wished the acceptance of Leicester, is an opinion which has been maintained by many; but to me it seems almost impossible to believe that such was actually the case. The admirers of that Queen, who have espoused this view with a desire to free her memory from the charge of deceit, have a very ample field of labour before them, before their refutation on this point can be of any material service to their cause; but such as are willing to believe—and the presumptive evidence which supports such a belief is certainly very strong,—that even the immaculate maiden Queen might be induced to have recourse to dissimulation and deceit, and who are willing to rest their decision on such testimony as the nature of the case will admit, must certainly conclude that the proposition of Leicester as a consort to Mary, is but another stone added to the vast and towering monument of her treachery

(28) "Queen Elizabeth \* \* commended unto her for an husband Robert Dudley, (whose wife being one Robsert's heire had dyed of late by a fall from a steepe place,) and promised her that if she would marry him, she should, by authority of Parliament, be declared her sister, or daughter, and heire of England, in case she should dye without issue."—*Camden*, I. 67; *Keith*, 243, 249, 259, 263.

towards her whom she denominated her right good sister and cousin, and whom she professed to regard as her nearest and dearest friend; so dear, indeed, to her, that she could not suffer her to rule her own affairs, but, in the plenitude of her love, was constrained to take the management of them into her own more skilful and experienced hands.

The Earl of Leicester was a nobleman who resembled in many material respects the Lord Henry Darnley, of whom we shall hereafter have to speak, though in some particulars he was inferior, in others superior, to the latter prince. Attainted for his participation in the attempt to place Lady Jane Grey on the throne, he was afterwards restored, and under Mary was employed in some posts of trust and honour; but it was under her sister Elizabeth that his glories rose to the highest point. Handsome and accomplished in his person, polished and insinuating in his manners, he had early captivated the susceptible heart of the maiden Queen, and with consummate address contrived to conceal from her vices which would have made him odious even to that unfastidious princess. Married to the daughter and heiress of Sir John Robesart, the lovely Amy, (and in that word *heiress*, may probably be discovered the motive of the union), he endeavoured to conceal the fact from his royal

mistress, and immured his accomplished and fascinating wife in the dreary mansion of Cumnor, while he himself revelled in the seductive gaieties of the Court. At length, just at the period when his influence with the Queen was at the highest, fortune seemed about to favour him by the removal of his wife, whose severe illness promised her speedy death. She recovered; but her violent and barbarous decease soon afterwards, though declared by a judicial investigation to have been owing entirely to accident, was universally believed by the nation to have been contrived, if not executed, by the hand of the earl himself.<sup>29</sup> Such was the man who was now put forward as a husband for Mary Stuart.

He himself was nowise disposed to favour the projected alliance. He regarded it as a device set on foot by Cecil, who was his enemy, in order to effect his ruin in the good opinion of both the Queens,<sup>30</sup> since Mary would hate him for his presumption, and Elizabeth for his seeming neglect of

(29.) State Papers.—Hardw, I. 121; Haynes, 362.

(30) "The next day my Lord of Leicester desired me to go down the river in his barge with him to London. \* \* Then he began to purge himself of so proud a pretence, as to marry so great a Queen, declaring he did not esteem himself worthy to wipe her shoes, declaring that the invention of that proposition of marriage proceeded from Mr. Cicil, his secret enemy. For if I, says he, should have appeared desirous of that marriage, I should have offended both the Queens, and lost their favour."—*Melvil*, 51.

the supremacy of her charms ; and Melvil, who was Mary's envoy to the English Court on the subject of her marriage, was convinced of the utter insincerity of the proposal.<sup>31</sup> And we have a very strong testimony of her deceptive conduct from the pen of Sir William Cecil himself, who, in a letter of the 30th of December, 1564, says, "I see the Queen's Majesty very desirous to have my Lord of Leicester to be the Scottish Queen's husband, but when it cometh to the conditions which are demanded, I see her then remiss of her earnestness."

Under such circumstances, the negotiations were not very likely to find a successful termination. A man who was unwilling to assent to this disposal of his person, offered by one Queen, who trembled lest he should be accepted, to another, who feared to refuse the proffer, presents a spectacle curious and entertaining, and one which prevents us from wondering at the mystery which has always involved this singular transaction. But while Leicester was rejected, the reason for which he had been put forward was also removed, for Mary

(31) "After that her Majesty (Mary) had at great length understood all my management and proceedings in England, she inquired whether I thought that Queen meant truly toward her inwardly in her heart, as she appeared to do outwardly in her speech. I answered freely that in my judgment there was neither plain dealing, nor upright meaning, but great dissimulation, emulation, and fear." — *Melvil*, 53.

seemed to have entirely given up all intention of forming a foreign alliance.

But, though this was the case, she had not entirely relinquished her matrimonial designs, and the person upon whom her fancy lighted had been placed near her by Elizabeth herself. We are told by Melvil, and the position which he occupied in this matter renders him a credible witness, that, during the course of the affair which we have just narrated, the Earl of Leicester had written such discreet and wise letters to the Earl of Murray, exonerating himself from any blame for presumption, since the offer came not from himself, that the Queen of Scots appeared to entertain so good a liking for him, as induced Elizabeth to fear that the projected marriage might really take place; and her apprehensions induced her to grant to Darnley permission to go to Scotland, hoping that he, being a handsome youth, would remove the impression which had been created by the absent Leicester.<sup>32</sup> And thus was the Lord Henry Darnley first introduced into the Scottish court.

(32) "But the said Earl of Leicester had written such discreet and wise letters unto my Lord of Murray for his excuses, that the Queen appeared to have so good liking to him, as the Queen of England began to suspect that the said marriage might take effect. Her apprehensions of this, occasioned the Lord Darnly his getting more readily license to come to Scotland, in hope that he being a handsome lusty youth, should rather prevail, being present, than Leicester who was absent."—*Melvil*, 53.



This young nobleman was the son of Matthew, Earl of Lennox, by the Lady Margaret Douglas, the daughter of Margaret the sister of Henry VIII. and widow of James IV. of Scotland, who married after his death the Earl of Angus; and he was therefore, after Mary, the next in right of succession to the English throne. His father had been chiefly distinguished, in the early portion of his life, by a rebellious spirit, and a close correspondence with the English Court;<sup>33</sup> and his treasonable conduct at length compelled him to fly from his own country, and to take refuge in that to which he had endeavoured to betray his own nation, where he was rewarded by Henry VIII. with the hand of his niece in marriage. In the early part of the reign of Mary the intriguing spirit of Lennox led him to engage in a secret correspondence with the Scottish Queen, prompted, we might hope, by repentance of his past treachery, if the other portions of his conduct did not forbid the charitable supposition; and in 1562, himself and his countess were committed to custody on this account.<sup>34</sup> About two years after this, however, the power of the Earl of Murray had risen to so ungovernable a height in

(33) Rymer, XV. 22.

(34) "Margaret Countesse of Lenox, niece to Henry the Eighth by his eldest sister, was committed to Sir Richard Sackvill, and her husband, the Earle of Lenox, who had secret intercourse of letters with the Queene of Scots."—*Camden*, I. 57.

Scotland, and the distraction of Mary's mind, by the troubles of her state, was so great, that she was induced to send for Lennox out of England,<sup>35</sup> and, by remitting the sentence which had been passed upon him of forfeiture and attain, and raising him to higher honours, she endeavoured in some degree to counterbalance the influence of the bastard Earl.

In the latter part of his career we do not see much to admire in the conduct or character of Lennox. Upon the death of Darnley he declared his suspicion of Bothwell,<sup>36</sup> yet shrunk, upon feeble pretences, from the investigation which was offered, doubtless because he was really unable to prove his charge. An accuser of the Queen at Westminster, he endeavoured, by exciting the pity and compassion of the Commissioners, though without stating a particle of satisfactory ground for his belief, to accelerate his mistress's disgrace,<sup>37</sup> and, returning to Scotland, he became Regent, at the death of Murray; and one of the first acts of his short and inglorious reign was the illegal and brutal murder of the venerable archbishop of St. Andrew's, —a prelate of a mild and humane disposition, and whose character, naturally amiable, derived lustre

(35) Camden, I. 73.

(36) Keith, 269.

(37) Paper Office, apud And. IV. 122; and Goodall, II. 208.

from his ability and learning ; while his only crimes were his religious faith, and his ardent and zealous advocacy of the cause of his Queen. But the crime of Lennox brought with it its own reward. In the same year (1571) he was slain at Stirling, and the last words which rung in his dying ears were, " Think on the archbishop of St. Andrew's." His countess, the mother of Darnley, who survived him some years, was evidently a person of good disposition, though weak, and easily led by others. At first she united with her husband in the charge against Mary,<sup>38</sup> but before her death she had testified to the Scottish Queen her conviction of her innocence, corresponded constantly with her, and assured her that the course she had pursued had been adopted at the instigation and compulsion of the English Court, and especially of Elizabeth herself.<sup>39</sup>

(38) " The Lord Darly's mother, the Countesse of Lenox, had of late with much weeping and lamenting, put up a grievous complaint to Queen Elizabeth in her owne and her husband's name, and besought her that she (Mary) might be called to her tryall for the murder of her sonne."—*Camden*, I. 111.

(39) " Cette bonne dame s'estoit, graces à Dieu, fort bien reconnüe vers moi, depuis cinq ou six ans que nous avons en intelligence ensemble : et m'a advouée par lettres escrites de sa main, que je garde, le tort qu'elle m'avoit fait en ses injustes poursuites, dressées, comme elle me la fait entendre, par son consentement, pour avoir été mal informé ; mais principalement, par expres commandement de la dite Reine d'Angleterre, et persuasion de ceux de son conseil, qui avoient toujours empesché

The Lord Darnley having, for the reasons which have been stated, proceeded to Scotland, soon began to engage the favourable attention of its Queen. Young and handsome, possessed of many of those external accomplishments<sup>40</sup> which were no less esteemed in that than they are in the present age, Mary was at first permitted only to view the favourable side of his character, since his vices, and they were neither slight nor few, seem to have been concealed from all the Scottish Court before the period of his marriage, and the natural advantages which he possessed induced her to look with the more favour on an alliance which was strongly recommended by principles of policy and prudence.<sup>41</sup> Had Darnley united himself with any other lady, the nearness of his claim and the recommendation of his religion would have made him a very formidable rival to Mary, while an union with her put a stop to all such threatening dangers, and converted his family from

nostre appointment; lorsque ayant connu mon innocence, elle vouloit desister de me poursuivre, jusqu'a refuser plainement d'avouer ce qu'ils feroient contre moi sous son nom."—*Mary to the Archbishop of Glasgow*, May 2, 1578, apud *Mem. Scots Coll*, Paris, tom. II. No. 55. *Keith*, App. p. 145.

(40) "A young gentleman, of a beauty most worthy of a crowne, of a very goodly personage, a most milde disposition, and sweetest manners."—*Camden*, I. 76.

(41) "Queene Elizabeth's Councillours, through the secret suggestion of Murray, easily beleaved that the Queene of Scots designe by this marriage, tended to strengthen her right and title to the crowne of England."—*Camden*, I. 76.

her rivals into her allies, interested in the highest degree in the maintenance of her rights.

It appears to me that very great injustice hath been done by various historians to the character of Darnley. By many who have treated of the events of those times he has been represented as a monster of iniquity; and the errors of his subsequent conduct have been declared to have arisen naturally from an innate depravity of heart. Brought up in the lap of luxury, in a Court which was characterized by one who knew it well—the secretary of Sir Francis Walsingham—as a place “where all enormities were practised, where sin reigned in the highest degree,”<sup>42</sup> and, consequently, imbued with but too many of its licentious habits; transported at once to a country where the most rigid rules of morality were prescribed by the preachers to all classes of society; inflated and intoxicated with his sudden elevation; he seems to have fallen at once into the hands of the worst men of the land, and to have been converted by them into a mere tool for the accomplishment of their own designs. Yet his

(42) Bizch. I. 39. “The only discontent I have, is to live where there is so little godliness and exercise of religion, so dissolute manners and corrupt conversation generally, which I find to be worse than when I knew the place first.” *Faunt*. Aug. 1, 1582, apud *Bizch*. I. 25. “There was no love but that of the lusty god of gallantry, Asmodeus.”—*Harrington, Nugæ Antiquæ*, 166, April 4, 1595. *Osborn's Memoirs*, 33.

heart was not naturally a depraved one. Though an accomplice in the murder of Riccio, yet no sooner was the deed committed than he repented of his error, and returned to his allegiance to the Queen ;—seduced again by his evil advisers to adopt a course of life which disgusted his wife, and alienated from himself that ardour of her affection which had once been all his own, he yet repented, and desired her to return to him and cast into oblivion his former faults. Ambitious of power, without the strength of mind necessary for its profitable possession ; weak and fickle, and swayed entirely by the advisers of the moment, very unhappy in his choice of friends, and still more luckless when he cast off his old allies and excited their unextinguishable hatred ; he is rather an object of pity and compassion than of indignation and contempt. Had he moved in a less exalted station of life, or reached his elevation in a nation less turbulent and factious than Scotland then was, his naturally amiable qualities of heart might have rendered him virtuous and happy. And as the case really stands, we may palliate in a great degree his faults, and aver, with one who knew him well, that he failed rather from the want of good counsel and experience than from any bad inclinations, and that his happiness and prosperity were wrecked on the same rock on which so many princes have perished both

before and since his time, a fondness for flattery, and a predilection for the company of evil men.<sup>43</sup>

At first his proposals seemed far from acceptable to the Queen. She refused a ring which he offered to her, and it seems probable that he would not have ultimately prospered had he not been aided by the mediation of Melvil, and the good offices of the secretary, Riccio.<sup>44</sup> This man was the son of a musician of Turin, but was not, as is generally stated and believed, one of the Queen's musicians when he entered her service. The story stands thus in the pages of Melvil; but Mr. Chalmers has, with great industry, traced the course of his advancement from a more authentic source than Melvil, the treasurer's account,<sup>45</sup> and has proved the falsity of the popular notion. Coming to Scotland in the suite of the ambassador of Savoy, and appointed by Mary at his request one of the pages of her chamber, he was soon afterwards advanced to the post of French secretary, in the discharge of which important trust

(43) "It was a great pity to see that good young prince cast off, who failed rather for want of good counsel and experience, than from any bad inclinations. It appeared to be fatal to him; to like better of flatterers and ill company than plain speakers and good men: Which hath been the wrack of many princes, who, by frequenting good company, would have proved gallant men."  
—*Melvil*, 67.

(44) "I know not how he came to fall in acquaintance with Rixio, but I found he also was his great friend at the Queen's hand."—*Melvil*, 56.

(45) Chalmers, II. 156.

his fidelity and zeal secured to him the approbation of the Queen, though his foreign birth and his Catholic profession excited the envy and hatred of the Scottish nobles. But there was one point of Mary's character which some would denominate obstinacy, but which is worthy of a better name. She never suffered her favour to be alienated from a meritorious object by the voice of popular malignity, or the invidious rivalry of those more immediately around her, and as Riccio never forfeited her esteem by his conduct, so he retained her favour to the last.

Aided by the influence of these powerful allies, and by his own natural and acquired advantages, the suit of Darnley prospered, the Queen declared him to be the object of her choice, and a messenger was despatched to the English Court to apprise Elizabeth of the fact, and, as a mere matter of courtesy, to request her sanction to the alliance. But her old dislike of matrimony in others seems to have again seized upon the Queen, and she endeavoured to place in the way of the match all the obstacles in her power; denouncing it as hurtful to both the kingdoms, and, indeed, productive of all imaginable evil. But as Mary had already learnt from Melvil the proper estimate to place on the professions of Elizabeth, and as nothing could be urged against the alliance, from the fact of Darnley being a subject,



which might not have been equally put forward against the marriage with Leicester, proposed by the English Queen herself, while, on the other hand, it had many advantages which that union did not possess, she determined not to be influenced by the treacherous vacillation of her pretended friend.<sup>46</sup>

But all difficulty was not yet removed ; for, though external opinion might be set at defiance, home dissension could not so easily be overlooked ; and a factious band of nobles, at the head of whom was the Earl of Murray, strongly opposed the intended alliance. Ever since the Lord Darnley had come into Scotland, this nobleman had found his power to be on the decline. While Mary was alone and unprotected in her kingdom, her ambitious brother had found it easy to usurp the entire sway over her actions ; but when her marriage drew near, and when she had found one with whom by her own free-will she could share the labours of the state, he began to discover how powerless is the empire of force compared to that which is cemented by the feelings of the heart ; and, degraded and abashed, deprived of his ill-gotten

(46) "The Queen again perceiving the Queen of England's earnest opposition to all the marriages that offered unto her, resolved to delay no longer" . . . "The Queen finding the shifts the Court of England made to delay her marriage with any man proposed, hasted forward her marriage with my Lord Darnly."—*Melvil*, 56. 57. *Cod. Harl.* 4645.

power, he withdrew from his sister's Court. But it was only to plot new mischief that he retired from the scene. In June, 1565, aided by the Duke of Chatelherault, an ancient enemy of Lennox, whose ire was excited by seeing his old foe restored to place and honour, and by some other disaffected noblemen, and fortified by a promise of aid and an actual supply of ten thousand pounds from Queen Elizabeth,<sup>47</sup> Murray projected the capture and murder of Darnley and his father;<sup>48</sup> but the design having been communicated to the Queen and her intended husband, they disappointed the schemes of the conspirators by flight. Foiled in this attempt, Murray and his party took the field, hoping, through the advocacy of Knox, who had joined

(47) "Yet, nevertheles I may speake of that which was done in mine owne countrie within these five or six yeres, I beinge one of the counsell there, and appointed to deale with the Q. of England's ambassadors therupon, which was Mr. Randolph and Mr. Thomeworth, when there was stirred up a sedition and rebellion in Scotland at the marriage of the L. Darnly with the Q. my mistres, they gave a great some of money to the chiefe enterprisers thereof to raise souldiers, and men of warr, which was raysed in divers places of the realme, against the Q. and the same was evidently proved by those whoe received the money from them, soe that they could not denie it."—*Leslie, Negoc.* 194. apud *And.* III. *Keith*, App. 164. *Knox*, 380.

(48) "Quha, (Murray) be himself and his assistaris conspirit the slauchter of the said Lord Darnly, being then appointit to be marryit with hir Grace, and als of his father, and divers uther nobilmen being in hir Grace's cumpanie and followaris at that time."—*Instructions of the Scottish Lords to Mary's Commissioners at London*, apud *Goodall*, II. 358.

them, and who urged the people to assist in a cause which had in view only the glory of God,<sup>49</sup> to be enabled to arouse the nation on their behalf; using the old cry of "the evangel is in danger," which seems to have been the watchword in Scotland whenever any peculiar villainy was about to be perpetrated or contrived. But either Mary was not then so very unpopular with her subjects as it has suited the views of some writers to suppose,<sup>50</sup> and the marriage was not distasteful to the majority of these, or else some altogether inexplicable reason prevented the success of Murray. The reason may be a matter of debate, but the facts are beyond dispute, that the Earl found himself opposed by an army of eighteen thousand men,<sup>51</sup> under the command of the Earl of Bothwell, then a man of considerable repute and importance in the nation, and was compelled to fly to England, the universal refuge for Scottish traitors. There his reception was exactly what he deserved, and must have convinced him, in a most unpleasantly forcible manner, of the superiority of plain and upright dealing over treachery and deceit. Although Elizabeth had, beyond all doubt, been an accomplice

(49) Knox, 381.

(50) "Towards the Queen herself, I saw never men's minds so greatly altered, you may say, almost to utter contempt of her behaviour."—*Randolph*, quoted in *Von Raumer*, 53.

(51) Knox, 388.

in the late attempt,<sup>52</sup> yet she compelled him to declare publicly that she had not incited or encouraged him in his opposition to the marriage, and, this done, she drove him from her presence as an unworthy traitor.<sup>53</sup>

These difficulties being removed, and no oppo-

(52) "As for me, and the remainder here, I doubt not but you understand sufficiently, that neither they nor I enterprised this action without forfeit of our Sovereign's indignation, but being moved thereto by the Queen your sovereign, and council's hand-writing, directed to us thereupon; which being followed, all those extremities followed, as were sufficiently foreseen."—*The Earl of Murray to Cecil*, Oct. 14, 1565, apud *Chalmers*, II. 330.

(53) "For when they sent up my Lord of Murray to that Queen, (Elizabeth,) the restabiding at Newcastle, he could obtain nothing but disdain and scorn, till at length he and the Abbot of Kilwinning his companion in that message, were perswaded to come and confess unto the Queen upon their knees, and that in presence of the ambassadours of France and Spain, that her Majesty had never moved them to that opposition and resistance against their Queen's marriage. For this she had desired to satisfie the said ambassadours, who both alledged in their masters' names, that she had been the cause of the said rebellion, and that her only delight was to stir up dissention among her neighbours. Yet by this cunning, she overcame them. For she handled the matter so subtilly, and the other two so cowardly, in granting her desire contrary to what was truth, being put in hopes relief, if they would so far comply with what was judged her interest for the time, that she triumphed over the said ambassadours for their false allegiance. But unto my Lord of Murray, and his neighbour, she said, now you have told the truth, for neither did I, nor any in my name stir you up against your Queen. For your abominable treason may serve for example to my own subjects to rebel against me. Therefore get you out of my presence, you are but unworthy traytors. This was all the reward they procured at her hands."—*Melvil*, 57.

sition being now offered to her wishes, Mary was married privately to Lord Henry Darnley, in the chapel of Holyrood-house, on the 9th of July, 1565,<sup>54</sup> according to the rites of the Catholic Church; a circumstance which, at that time, excited violent murmurs among the fanatics of Scotland, although the Queen showed the honesty of her intentions by a proclamation, in which she declared that the thought of impeding or molesting others in the freedom of their consciences or religion, had never entered into her mind.<sup>55</sup> And her subsequent actions give us no ground to impugn the sincerity of her professions.

(54) Keith, 161.

(55) Keith, 299.

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## CHAPTER IV.

HISTORY AND CHARACTER OF THE EARL OF BOTHWELL—REMAINS OF MURRAY'S PARTY AT THE COURT OF MARY—THEIR INFLUENCE OVER DARNLEY—THE MURDER OF DAVID RICCIO—CONDUCT OF THE REFORMED CLERGY—SENTIMENTS OF KNOX—ESCAPE OF MARY THROUGH THE INTERVENTION OF BOTHWELL—REMORSE OF DARNLEY—FLIGHT OF THE MURDERERS—BIRTH OF PRINCE JAMES—CHANGED DEMEANOUR OF DARNLEY—HIS VINDICATION OF HIS QUEEN—CAUSES OF THE SINGULAR BEHAVIOUR OF DARNLEY.

AMONG the noblemen whose names constantly meet our eye during the events which we have recently considered, was one whose standing and importance would not seem to entitle him to a more particular notice than many of the other distinguished leaders of the age, but whose after career justifies us in selecting him from the group, and indulging him with a more special notice. James Hepburn, Earl of Bothwell, the descendant of a long line of illustrious ancestry, succeeded, in 1556, to the estates and honours of his father, Patrick ; and, although a member of the reformed Church, attached himself finally to the party of the Regent, in opposition to the rebellious Murray, being appointed by her lieutenant-general of her forces, and honoured

with special marks of her favour and approbation ;<sup>1</sup> but his loyalty at length compelled his retreat into France. There he entered into the service of Mary, was constituted captain of the Scottish Guard, and obtained several marks of distinction for his enterprise and valour ;<sup>2</sup> and on his return to Scotland, in 1560, was noted by Throckmorton as a glorious, rash, and hazardous young man, whose motions were to be watched, and whose actions were to be feared by his foes.<sup>3</sup> Although a firm and consistent Protestant, refusing even to sacrifice in form to the religious notions of his queen,<sup>4</sup> yet his loyalty and

(1) " Especially myself, who, (although unworthy of such a distinction,) had been appointed lieutenant-general of the Queen, my mistress." *Bothwell*, apud *Str. Lett. of Mary*, I. 221, first ed. " He was unanimously chosen general to the army when very young, merely upon the score of his bravery." *Craufurd*, 53. " In ye weris aganis Ingland, he gaif sic prui of his vailzeantness, courage, and gude conduct, that notwithstanding he wes yan of verie zoung aige, zit wes he chosin out as maist fit of ye haill Nobilitie to be oure Lieutenant-general upoun ye bordouris, having ye haill charge as weill to defend as to assayle. At quhilk tyme he maid mony nobill Interprysis, not unknowen to bayth ye Realmis, be ye quhilk he acquirit a singular reputatioun in bayth."—*Mary* apud *Keith*, 388 ; *And.* I. 91.

(2) *Hardw. State Pap.* I. 143.

(3) *Hardw. State Pap.* I. 149. " He was the darling of the common people for his courage and liberality, and the envy of the court." *Craufurd*, 42. In Oct. 1566, " James Hepburne, Earl of Bothwell, a man generally esteemed and applauded."—*Craufurd*, 42.

(4) " At the *dirige* or mass upon Friday and Saturday last, she observed the old manner in all her doings, yet she could not perswade nor get one lord of her own to wear the *deule* for that

consistency,—the more remarkable when contrasted with the duplicity and villainy of many of those around him—procured him the favour of his queen. But Murray was his enemy, and summoned him to a public trial, on a charge of having conspired against his life ; and as Murray came to the place appointed for the trial, with a body of five thousand men, Bothwell thought it most prudent to avoid the impending danger by a departure from the country. When, however, a short lapse of time had exposed to Mary the baseness of her brother, and when, unmindful of the favours and advancement which he owed to her, he had taken up arms to oppose her marriage, she began to perceive how little weight was to be accorded to the assertions of such an accuser ; and, recalling Bothwell from his exile, she placed him at the head of the royal troops ; and in this position we find him at the period to which our narrative has now arrived—raised to the honour and dignity which his past services and loyalty well deserved, while his accuser, Murray, was suffering in exile the merited punishment of his treason.

To attempt to sketch the character of Bothwell, is to tread on ground so insecure and so disputed, that prudence would induce an abstinence from so

day, not so much as the Earl of Bothwell." *Randolph*, Dec. 7, 1561, in *Keith*, 207. "The Earls of Huntley and Bothwell went not to mass, albeit in great favour with the Queen."—*Knox*, 426.



dangerous a theme ; but justice has high claims to be regarded ; and, even at the risk of offending the deeply-rooted prejudices of many, I shall venture upon the attempt. Setting aside, for the moment, the truth of his assumed participation in the murder of Darnley, as a point which will hereafter engage our attention, we shall, I think, see nothing in his general character which will merit the extreme obloquy which has been cast upon it ever since the age in which he lived. Bravery, beyond the reach of doubt ; loyalty, which could never be shaken by the highest temptations which were offered for its desertion ; and fidelity to all the trusts which were reposed in him, are elements of character which certainly deserve some portion of our respect. But it would be useless and uncandid to deny that these high qualities were clouded by many faults, even if they were not obscured by weighty crimes. An ambition which was jealous of the slightest obstacle to its advance ; a degree of political recklessness which was, unfortunately, very characteristic of the Scottish aristocracy in that age, and which was augmented, if not caused, by the license which they permitted to themselves in these depredations upon the Church, and which led them to look with some degree of contempt upon religion itself ; and a want of scruple with regard to the means which he employed for the attainment of the objects he desired ;

are very dark traits in his disposition, and were, unhappily, not peculiar to himself. But to Mary none of these less favourable characteristics were likely to become known. The mutual position in which they were placed exhibited to her only his loyalty, his courage, and his fidelity; and she liberally rewarded these, while she would have shrunk from the contemplation of the other elements of his disposition.

But, though Murray and some of his allies were banished from Scotland, there were others equally concerned in the conspiracy with himself, whose prudence had saved them from discovery, and who still retained their position in the Court. Morton, Ruthven, Lindsey, and Maitland, still remained in Scotland, and scarcely an effort was wanting on their parts to procure the recal of their old associate and leader. But some serious difficulties intervened, and threatened entirely to defeat the accomplishment of their hopes. The Queen herself entertained a great dislike for the person of the Earl, whose conduct towards her had not been such as was at all likely to rivet the bonds of affection between them, and the general popularity which his recent rebellion had secured to him, was more than doubtful. But these persons chose to consider that the principal cause of their want of success was the undue influence exercised over the mind of the

Queen by her secretary, David Riccio, of whose history we have already briefly spoken; and, in order to induce the young King to join them in their designs for his extirpation, they endeavoured to imbue his mind with the belief that the honour of his wife had been invaded by the seductive Italian, —a man who is described by one writer, as “*homme assez âgé, laid, morne, et malplaisant*,”<sup>5</sup> and the charge concerning whom is regarded, even by the enemies of Mary, as a groundless slander.<sup>6</sup> But, fearing, as we may suppose, that his good sense might revolt from a belief in such a calumny, (though it must be confessed that there were but small grounds for such an apprehension,) they held out to him a high object—the crown matrimonial—for which he had often sued, and which they led him to believe was denied to him by the influence of Riccio; and this inducement would have been alone sufficient to engage his favour. He consented; and a bond of alliance for the perpetration of the deed was entered into by the conspiring

(5) Blackwood apud Jebb, II. 202.

(6) “The opinion of his criminal correspondence with Mary might seem of itself unreasonable, if not absurd.” *Hume*, V. 98. “The silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary’s faults, and who does not once insinuate that her confidence in Rizio concealed anything criminal, is in itself a sufficient vindication of her innocence.”—*Robertson*, I. 367, note.

parties, in which Darnley promised to protect the assassins in case Riccio should be slain, or, if sundry great personages, who might chance to be present, should unhappily meet their death; and these great persons were, undoubtedly, the Earls of Bothwell and Huntly, who, with some others, were then residing in the palace, near the apartments of the Queen, and who did actually endeavour to render her assistance. There is a species of excuse which has been put forward for the design by some, who allege that Mary had taken the chancellor's seals from the hands of Morton, and committed them to the keeping of Riccio, and that indignation at this great and unpardonable insult caused the first projection of his death. But there are one or two facts which strongly oppose this hypothesis, of which one will be perhaps sufficient to overthrow it,—that Morton held the office of chancellor in his own person on the 9th of March, 1566, the very day of Riccio's murder,<sup>7</sup> while the association for his death is dated the 1st of March, 1565.<sup>8</sup> And the whole error seems to have arisen from the mis-translation of a Greek word in the Latin version of Buchanan's history, in which *προβουλος*, which properly signifies a senator, and was probably used in this case to denote a Lord of the Articles, has

(7) Keith, App. 117, 128.

(8) Appendix, A.

been rendered by "chancellor" in the English version.<sup>9</sup>

All the machinery being arranged, it remained only to seek a time and place for the execution of the deed. Countless opportunities occurred of seizing and despatching the secretary away from the presence of the Queen, but such a course, though it would have compassed all the avowed ends, seemed to be distasteful to the murderous allies. On the evening of the day already named, the Queen, who was then far advanced in pregnancy, was sitting at her evening meal with the Commendator of Holyrood-house, and the Countess of Argyll, both natural children of James V., in her private cabinet—Ersline, the captain of the guard, Beaton, the master of the household, and Riccio, her secretary, being present, in attendance.<sup>10</sup> The story that the latter was seated at the table with the Queen, rests on the very suspicious testimony of

(9) "David interea singulos circumibat, animosque pertentabat quid de absentibus decreturus quisque esset si a reliquo conventu *προβουλος* legeretur." *Buchanan*. This mistranslation of *προβουλος* is not the only blunder which has been made with regard to this sentence, for by some it has been read as if "David" was the nominative to "legeretur," and the meaning consequently was, that Riccio asked each man what he would do if he (Riccio) were chosen a Lord of the Articles, whereas it is evident that "quisque" is the nominative, and the sense is, that Riccio asked each man what he would do, with regard to the exiles, if chosen a Lord of the Articles.

(10) Mary, apud Keith, 331 ; Craufurd, 9.

one of the assassins, and may, therefore, without scepticism be rejected, the more especially as it is contradicted by the narrative of Mary herself. The Earl of Morton, the Lord Chancellor, and protector of the laws of the kingdom, having taken possession of the doors below, as well to prevent the access of aid, as to prevent the egress of those within, Darnley preceded the murderers up the privy staircase, and, entering the apartment, seated himself by the side of his wife, placing his arm affectionately round her waist.<sup>11</sup> By a previous concert with the conspirators, he had agreed to leave the door open, and be talking with the Queen;<sup>12</sup> and, this signal given, the murderers, among whom were Ruthven, Douglas, Ballantyne, and Kerr, entered the apartment, armed from head to foot, their leader, Ruthven, emaciated and ghastly from the effects of recent illness. The Queen, alarmed, cried aloud to her husband for help; but they assured her that they intended her no harm, and required only the person of Riccio, whom they accused of various crimes, and who, seeing his danger, had fled for protection behind the Queen, and cried aloud for justice. But Ruthven, drawing his dagger, called to the secretary to come forth from a place of which he was unworthy; and when he found that Mary was

(11) Ruthven, apud Keith, App. 123.

(12) Ruthven.

determined to protect her servant from assassination, though she offered to subject him to a trial, he did not scruple to set, nor did his associates hesitate to follow, the example of violence towards the Queen herself. Kerr presented his pistol at her breast, another of the conspirators threatened her with his sword, and Douglas, bold above the rest, struck Riccio over her shoulder, and left his dagger sticking in the wound. The first blow given, the rest quickly followed. The unhappy victim was dragged from his security to the door of the chamber, and there despatched with fifty-six blows, having been dragged in the transit through the sleeping-room of the Queen.

The King had at first been questioned by Mary as to his knowledge of the attempt; but with shameless mendacity he denied his privity to the murder. But his accomplices were not so tender of his reputation, and Ruthven did not scruple to declare that he was a participator in the deed.<sup>18</sup> But he was not unaided by the highest in the land; for there can be but little doubt that the assassination

(18) 'To the Queen, he said, "If anything be done this night that your Majesty dislikes, the King your husband, and none of us, is in the wyle." *Kelth*, App. 124. To the nobles "he showed the whole proceedings of that night, and how it was invented by the King himself, as his hand writ would show." *Kelth*, App. 125. "The King and his father subscribed to the bond, for they durst not trust the King's word without his signet."—*Knorr*, 429.

was contrived with the full concert of the Earl of Murray ; for had it not taken place, the Parliament would in three days after have declared his attainder, while on the morning of the second succeeding day, he himself arrived in Edinburgh.<sup>14</sup>

But in the meantime the friends of the Queen had not been altogether passive. As soon as the news of the outrage had reached their quarter of the palace, Bothwell and Huntly endeavoured to hurry to her assistance ; but they were beaten back by Morton, and their lives would have, doubtless, fallen a sacrifice had they not escaped through the windows of the palace,—a means of exit which had not been provided against by the precautions of the allies : and the circumstance that they were included among the intended victims, coupled with the fact that Murray had no less than six times conspired the death of Bothwell,<sup>15</sup> while very strong suspicion rests upon him of having plotted the destruction of Huntly's father, seems to me to throw no little light on that accusation made by him against the Queen some time after, in which the Earls of Bothwell and Huntly are alone, of all

(14) The murder was committed on Saturday, March 9, and "on the Monday" Murray came, and as he was "remaining at Newcastle" no intelligence can have been sent to him.—*Melvil*, 67.

(15) "Murray and his party had, before this, at six separate times, plotted to cut off Bothwell."—*Goodall*, I. 396.



the Scotch nobility,—the latter indirectly, and the former directly,—included.

Some palliation has been attempted for this odious crime by a recent writer,<sup>16</sup> who tells us that it was intended by Mary, that in the coming Parliament measures should be taken with regard to religion, which would be but the prelude to a general destruction of the Protestants, and that this was to be done in consequence of the alleged signature of a bond by Mary to that effect. In an age when sectarian feeling ran so high, and when the most effectual means for the destruction of any one was some fabrication connected with religion, we cannot be too cautious in receiving such a justification, even if supported by plausible proof. But in this case there is positively no proof whatever. Mr. Turner quotes, and truly, a passage from one of her letters, in which she declares that she hopes the succeeding Parliament would do some good towards restoring the old religion :<sup>17</sup> which Randolph, the English spy, and a reckless slanderer of Mary,

(16) Turner's *Mod. Hist. of Eng.* IV. 44, 48.

(17) "Intending to have done some good anent restoring the old religion." *Mary*, apud *Keith*, 331. She had received a message from the Pontiff, in which he exhorted her to constancy, recommended to her care the interests of the Catholic faith in her kingdom, and asked her to send some Scottish Prelates to the Council of Trent. *Jebb*, II. 25. Her answer is in *Plat. Conc. Trid.* IV. 660. *Lingard*, VII. 348, note.

explains as meaning, that "she will have mass free for all men that will hear it"<sup>18</sup>—no very fanatical or extravagant desire. This is all the evidence which has been brought forward to prove her determination to subvert the whole fabric of the established Protestant Church; but that the fear of such an event was a real cause of the outrage there cannot be the slightest doubt, though it was far from being the only motive. The week in which this Parliament was to open was proclaimed by the General Assembly as a solemn fast; reports were circulated that "the evangil was in peril," that Riccio was in the pay of Rome, and that the Queen herself had joined in the general league for the violent extirpation of the Protestant Church; and, in order to prepare the public mind for the scenes which were to follow, the lessons chosen for the whole of this week, were descriptive of the visitations on idolatry, (which, among the Reformers, meant Catholicism), and the punishment of wicked princes.<sup>19</sup>

(18) Cott. MSS. Calig. B. IX. fol. 232.

(19) "For the first day they consisted of the curses, blessings, and plagues denounced in the 17th and 18th chapters of Deuteronomy. For the following day, they had the behaviour and punishment of the Israelites, after Joshua; their deliverance from the Midianites and Amalekites by Gideon; the slaying Oreb and Zeeb, and Sisera; the cutting off the Benjamites; the history of Queen Esther's fast and the hanging of Haman; the Ammonites, Moabites, and inhabitants of Mount Seir rising against, and destroying one another after Jehoshaphat's fast

But, as I said before, there was another, and, perhaps, a more weighty and active cause. It had been determined by the Queen, aided by the advice of all the friends of loyalty and order, that an act of attainder should be passed upon Murray and the other lords concerned in the late rebellion.<sup>20</sup> On Thursday this act was drawn up, to be considered on the following Tuesday; on Saturday the murder was perpetrated; on Sunday Murray arrived and assumed the reins of power; and on the appointed day the Parliament was too disturbed to enter into the affair, or, as we might more correctly say, too prudent to pass an act of attain against the man who swayed the whole councils of the nation.

But the spirit of Mary was aroused by this

and prayer; Senacherib's invasion of Judah, Rabshakeh's blasphemies, the destruction of the Assyrians, and slaying of Senacherib: Then Ezra mourning for the affinity that his people had contracted with strangers; and, lastly, the fast was to end much in the same terms that it began, saving that the 26th of Leviticus and 9th chapter of Daniel were prescribed to be read instead of the 28th chapter of Deuteronomy and 6th of Judges. The Psalms were those for deliverance of David, King of Israel, and others in affliction, beginning with "Why do the heathen rage?" &c., and expressing full confidence in the sudden destruction of enemies, and that the righteous should rejoice at it; "God shall shoot at them with an arrow: suddenly they shall be wounded," &c. *Goodall*, I. 248. There was little in this profanation to induce Mary to favour a creed which placed the Word of God in the hands of those who would desecrate it by uses such as this.

(20) "To have proceeded against our rebels according to their demerits."—*Mary* apud *Keith*, 331.

insult to her dignity and sex. While her secretary yet lived, and while it was possible to save his life from destruction by her prayers, no supplication, no entreaty, was wanting on her part to preserve her faithful servant. But when the fatal blow was struck, and so soon as the murderous object of the conspirators was attained, the spirit of a Stuart, and the indignation of an outraged woman, was awaked within her, and, drying the tears which the melancholy terror of the scene had drawn from her eyes, she declared that she would weep no longer, but address herself less to lamentation than to revenge.<sup>21</sup> But revenge on whom? Surely not on her husband, as some have averred; for she had been informed of his guilt only by Ruthven, one of the assassins, while he himself strenuously denied the charge; and we are told by the Lords of the Council, in a letter which they addressed to the Queen Mother of France, in relation to this murder, that the Queen "did never accuse him thereof, but did always excuse him, and was willing to appear as if she believed it not;"<sup>22</sup> while, on the other hand, those who shared in the actual deed were visited with her severest resentment; themselves charged with the double crime of murder and treason, and their possessions declared liable

(21) Spotswood, p. 195.

(22) Keith, 349.

to forfeiture and confiscation."<sup>23</sup> The actual facts, therefore, as well as the dictates of probability and common sense, lead us to conclude that it was against these persons that her vengeance was threatened and designed.

The violence of the confederates did not terminate, however, with the secretary's death. They confined Mary in close custody, not permitting her the society of any of her women;<sup>24</sup> and when some of the loyal citizens, incited by the provost and magistrates, hastened to her relief and surrounded the palace, Darnley alone spoke to them; and the conspirators threatened Mary, that if she endeavoured to address them, they would "cut her in collops, and cast her over the wall."<sup>25</sup> The associates then retired, trusting to the fidelity of Darnley,—having accomplished a deed, which will stamp their names with everlasting odium and disgrace, and concerning which it would be an insult to suggest an opinion to a christian reader; but the general

(23) Keith, 333, App. 130.

(24) Ibid. 332.

(25) "The Provost and town of Edinburgh, having understood this tumult in our palace, caused ring their common bell, came to us in great number and desired to have seen our presence, and communed with us, and to have known our welfare; to whom we were not permitted to give answer, being extremely bosted by their Lords, who, in our face declared if we desired to have spoken them, they should cut us in collops, and cast us over the walls." —*Mary*, apud *Str. Letters of Mary*, II. 276.

feeling regarding which, among the Scotch protestant party, may be gathered from the remarks of their leader Knox, who says, "After this manner was the Church reformed; and all that professed the evangil within this realm, after fastings and prayer, were delivered and freed from the apparent dangers which were like to have fallen upon them."<sup>26</sup> The Christianity of these reflections, and their opposition to the miscalled Catholic doctrine, of doing evil that good may come, needs not a word of comment.

But no sooner was the unhappy prince left to his own unguided meditations, and allowed to behold, separated from his evil associates, the misery which he had brought upon his young and lovely queen, than his heart, not naturally corrupt, though perverted and hardened for the moment by the counsel of wicked men, began to be touched with compassion and regret, and contrition and remorse followed rapidly in their train. Calmly reflecting on the events which that day had brought forth, he could not but perceive that he had assisted in setting an example, which, if followed, might become most dangerous to his own safety,—even to his existence,—and when he cast a retrospective glance at the conduct of Mary towards himself since

their union, and recalled to his recollection the tender charity with which she had overlooked so many of his faults, and the uniform affection which, in his rational and virtuous moments, he had received at the hands of her to whom he owed his present elevation, the black ingratitude of his conduct rose up before him in all its hideous deformity, and was only to be equalled by the conviction, which passed upon him with an irresistible force, that the men who endeavoured to break the bonds of affection which had subsisted between himself and his queen, and to convert into a bitter enmity their early love, were indeed the worst enemies of his happiness and peace. Touched by these sentiments, which certainly did some honour to his heart, he made his humble submission to the Queen; he implored her forgiveness of his past errors, though he still adhered to a declaration of his innocence of the share imputed to him in the recent murder, and he was received again into favour as great as he had ever before enjoyed. Having, by means of an artifice, very excusable under the circumstances, procured the withdrawal of the guards by the conspirators, as a prelude to a reconciliation, Mary and her husband escaped from duress, and went with a few attendants to Dunbar, being speedily joined by Huntly, Bothwell, Athol, and other loyal nobles; and having gathered, in a few days, an army of eight thousand

men, they advanced towards the capital city. The murderers took refuge in flight, and even their sturdy friend and supporter, Knox, was compelled to retire for the time from the scene.<sup>27</sup>

The averment has been made by some writers, that the reconciliation was, on the part of Mary, a feigned one, and that rather than argue thence her still existing fondness for her husband, we may deduce from it a proof of her dissimulation and deceit. From the bare aspect of the transaction, it is utterly impossible to gather any such an opinion; and it has been only nourished by a statement which was made by Randolph, whom I have before, and I think not unjustly, denominated the English spy, and who about this period was expelled by Mary from her Court, because she had detected him in furnishing money, though not without authority, to her rebellious subjects. This man declares that, about this time, his name was placed after hers in public documents, contrary to the former custom.<sup>28</sup> But Mr. Goodall,—a gentleman who devoted much time to the investigation of the disputed points connected with Mary, and whose work, though in some few points erroneous,

(27) Knox, 432; Keith, App. 128, 129; Spotswood, 195.

(28) "His name is placed after her's in public documents, and some that were otherwise drawn up have been recalled."—*Randolph*, apud *Von Raumer's Eliz. and Mary*, 73.



is a masterpiece of criticism,—assures us that there does not exist on the records one instance of this change of order, Henry's signature being always, without exception, on the right hand of that of Mary, in the public documents of the time.<sup>29</sup> And we have positive evidence, of a character even stronger than this, the preservation of which seems to have been almost providential, since the circumstance from which it arose is likely to have been of very rare occurrence. In a precept, directed to the provost of Edinburgh, in the end of March, 1566, not quite three weeks after the murder of Riccio, the clerk had, through an error of inadvertency, headed the document—"Regina" only, which the queen, with her own hand, altered to "Rex et Regina."<sup>30</sup> Such is a sufficient refutation of this calumny; and it will be well if the expo-

(29) "For as to the placing the queen's name before his in publick writings, the royal archives do contain many hundreds of charters, donations, confirmations, &c., to be seen recorded in the books of the great and privy seal, among which I never could find one that had the queen's name before the king's."—*Goodall*, I. 235; *Keith*, p. 313.

(30) "A precept, directed to the Provost of Edinburgh, in the end of March, 1566, the very month in which the Queen had been made prisoner, and David Rizio murdered in her presence; it is also subscribed by them both, and in the very same manner as the rest. And in this it is observable, that the secretary, or clerk, who wrote it, had written over the top of it the word REGINA only; which is corrected, as it would seem, by the Queen's own hand, and made REX ET REGINA."—*Goodall*, I. 236.

sition shall induce others to abstain from an error into which Mr. Von Raumer has especially fallen,—the placing implicit reliance on the testimony of Randolph.

Though Murray was a party to the late conspiracy, yet since he, and some of his faction who were also engaged in it, had not taken a prominent share in the actual deed, Mary was, of course, ignorant of their participation in the guilt; and as the Earl had great influence in Scotland, she was induced to commit to his hands the direction of her councils. From that time nothing of peculiar moment occurred until the birth of the infant prince. Mary is described as melancholy and desponding; her spirits grieved and broken by the late outrage upon her station;<sup>31</sup> the Earl of Bothwell rising in dignity;<sup>32</sup> but Murray was still at the head of affairs. As the time drew near which was looked forward to by Scotland and England with an anxious eye—the delivery of the Queen—the course which was adopted by Murray was singular and suspicious in a very high degree. The circumstances which had recently taken place, made the position of the Queen

(31) "She was still sad and pensive for the late foul act committed in her presence so irreverently; so many great sighs she would give, it was pity to hear her, and few there were to endeavour to comfort her."—*Melvil*, 74.

(32) "Now began the Earl of Bothwell to be in great favour, to the great dissatisfaction of many."—*Melvil*, 67.

one fraught with more than common danger; and it would, therefore, have been at least humane and judicious to have allowed her every aid and assistance in her coming perils. But Murray excluded from the castle of Edinburgh, in which she was, every person of importance, except Argyle, his brother-in-law, and Darnley himself, who could not, with decency, have been denied permission to be present; and even Bothwell and Huntly were sent from their quarters and compelled to take lodgings in the city. To explain satisfactorily, and consistently with his honour, this conduct of Murray, in depriving his sister, at the most critical period of a woman's life, and most peculiarly critical to her then, of the presence and aid of all except his own party, will be, I fear, almost impracticable; and there is but too much reason to surmise that the advantage which would accrue to him from the death of both mother and child, tempted the minister to leave unemployed many of those measures which might have been called into use to render less likely, if not to prevent entirely, this probable effect of her situation.

If such, however, were his schemes, they were disappointed; for on the 19th of June, 1566, was born a prince, who afterwards swayed the sceptre of that kingdom which had been the source, as well as the aggravator, of his mother's misfortunes and sorrows.

After this time, a very singular change took place in the conduct of Darnley. Though, before the birth of the child, the reconciliation which had been effected between Mary and himself had continued in force, broken occasionally by slight disagreements, which were the inevitable result of his irregular conduct, and they had continued together with apparent concord; yet, after that event, he avoided the society of Mary, absented himself from the baptism of his son, and seemed systematically to shun the vicinity of the Court. The reason of this we shall not stop now to inquire; the facts only are narrated; but the cause cannot be explained in full force until a later period of time, when it will not fail to engage our special notice. Before a very long period had elapsed, Mary received a letter from the Earl of Lennox, in which he communicated his fear that his son intended to pass out of the realm of Scotland, and abide for the future in some foreign Court. Such a course at once excited her high surprise and deep and poignant regret; because—if we take the explanation of her foes—she was unwilling that their disagreements should be made known in other lands; or rather, to put a more charitable interpretation upon the matter, because her ancient love for him was not entirely extinct, but she still, spite of the imperfections of his conduct, retained some affection for him on whom

she had bestowed her early faith. On the same evening the King arrived, and was received with tenderness and welcome by his Queen; and that same night they had some conversation with regard to his intended voyage.<sup>33</sup> But the affair was considered of such momentous importance that the lords of the council and the foreign ambassadors were called together, and the matter formally investigated before them. And we have a record of the proceedings from the lords themselves, which is confirmed by the statement of M. le Croc, the ambassador of France, and Sir James Melvil, a person of some importance in the nation.

As soon as the peers had assembled, Mary took her husband affectionately by the hand, and proceeded to beseech him earnestly to declare the motives which had prompted his design. She said that for herself she had a clear conscience, and felt that in all her life she had never engaged in any action which could prejudice the honour of herself or of her husband; but she was but mortal, and, in the frailty of human nature, might have heedlessly given him some cause of offence. If she had ever done so, willingly would she make reparation to him; but as, in order to atone for her transgressions, it was necessary that she should know

(33) Keith, 348.

wherein her error lay, she besought that he would deal plainly with her, and, dissembling nothing, declare at once the cause of his displeasure. She implored him, in God's name, to grant her request, and to conceal nothing through tenderness for her feelings and situation. And to this tender and dignified appeal, in which the true and earnest heart of Mary Stuart shone forth with glorious lustre, her husband replied, by declaring freely, and in words which it is impossible to mistake, that his wife had never given him the slightest cause for the determination to which he had arrived.<sup>34</sup> And the Lords of the Council were not silent on this interesting occasion, for they added their own testimony to that of Darnley in vindication of the conduct of the Queen, and declared that "for her Majesty, so far was she from ministering to him cause of discontent, that, on the contrary, he had all the reason in the world to thank God for giving him so wise and virtuous a princess as she had showed herself in all her actions."<sup>35</sup> And, throughout the whole of this important scene, in which no motive for deceit could be supposed in the remotest manner to influence either of the acting parties, we hear not a whisper of those constant domestic dissensions,

(34) Keith, 348, 350.

(35) Keith, 349.

and that bickering and hatred, between Mary and her husband, on which her opponents have dwelt so much ; while her conduct shows a tone of feeling towards him far different from that which has been imputed to her by these prejudiced and partial writers.

But the resolution of Darnley was unshaken by all the persuasions which had been used, and, bidding the Queen farewell with a sorrowful and melancholy air, he left the royal palace.

How, then, can we account for this seemingly contradictory and inconsistent behaviour? Shall we, with some historians, suppose that the King was practising a course of deceit, and that, although he had been driven from his home, and reduced to the lowest state of misery and despair by the conduct of his Queen, he yet, with unscrupulous and unaccountable mendacity, persisted in declaring her conduct free from the very shadow of reproach? Although the character of Darnley cannot be cleared on all occasions from the imputation of dissimulation, yet I do not think that we are called upon to impute to him deceit, where no motive for it existed, and where the circumstances in question can be accounted for with more plausibility on other grounds. And that such is the case in the present instance, is a proposition very novel, but yet capable of the clearest demonstration.

It must be remembered that, before the death of Riccio, Darnley had affixed his signature to an engagement which was signed, among others, by Murray, Argyle, and Rothes, in which they agreed to take and slay any who should retard the King in the attainment of the matrimonial crown, then the great object of his wishes ; while he, on the other hand, promised to protect them from prosecution, and to stop any proceedings which might be instituted against them.<sup>36</sup> But, as has been already stated, the heart of Darnley was touched by remorse ; and the tears of his distressed Queen seemed to obliterate from his mind all traces of this fearful bond. He deceived the conspirators, fled with her, and joined in the measures of justice which compelled the leading actors in the scene to fly for protection within the English realm.

But who now assumed the reins of power ? The Earls of Murray, Argyle, and Rothes—three signers of the fatal articles—whom the King had deceived and betrayed, were called to the councils of the Queen. He could not disclose their guilt without falsifying his own protestations of innocence ; while, on the other hand, he had all to fear from

(36) Appendix B. Cott. MSS. Calig. B. ix. fol. 298. A less perfect copy is in Julius, fol. 90, published apud *Keith*, App. 120.—*Goodall*, I. 227.



the violence of men who had already shown themselves not loth to engage in a brutal murder, and who were enraged against him for his share in the exile of their friends. Can it be wondered at that he avoided the place where these men reigned supreme? Absence from the Court, and departure from the kingdom, suggested themselves to his mind as a refuge from danger; but he was not suffered to escape; and, ultimately, as we shall see, fell a victim to the resentment of these heartless foes.

Nor does this theory rest upon supposition alone; though, even if it did so, we should not be bound to reject it, explaining as it does, with perfect facility, so many circumstances of which it is otherwise almost impossible to obtain a satisfactory solution. On the 29th of September the King arrived at the palace of Holyrood-house, previous to the scene which we have recently narrated; he alighted from his horse at the gates; but a report reached his ear, and he paused ere he ascended to the apartment of the Queen. The Earls of Murray, Argyle, and Rothes, were then in the royal presence; and he insisted that they should be caused to withdraw before he presented himself to Mary.<sup>37</sup> Nor is it difficult to explain why he omitted to declare the true reason of his grief on the succeeding day, when

(37) Keith, 349. Goodall, I. 284.

implored to do so; for these very noblemen were among the Lords of the Council present on that memorable occasion.

How easily can we picture to ourselves the torturing conflict of emotions which must have reigned in the mind of this unhappy prince, at this miserable portion of his career! Bitterly loth to tear himself from the object of his early love—a love which, though sometimes forgotten, seemed to return with renewed ardour after each temporary relapse—dreading every moment the vengeance of the men he had deceived, and yet unable, without inculpating himself, to remove the cause of his overpowering fear, he was compelled, either by a hasty flight, to avoid the threatened evil which a longer stay was almost certain to bring upon his head, or, by an accusation of Murray, to call down upon himself the contempt and disgust of his pure and virtuous Queen. Such was his wretched position, standing out to us as an everlasting memento of the folly of a course of treachery and crime, and rendered the more impressive by a contrast with the bold and fearless conduct of Mary—laying bare her conscience before him, and imploring him to discover to her her faults, secure in the conscious purity and innocence of her heart,—while her husband slunk abashed and degraded from the scene, a prey to the keenest tortures of misery and despair,

arising wholly from the errors and crimes of his past career.<sup>38</sup>

(38) Bishop Leslie seems to confirm, in some degree, this theory of Darnley's conduct. Speaking of Murray's return to Scotland, he says, "Whereat the L. Darley much misliking and vehemently repining, feared that he would be as he was indede when he saw his time revenged upon him."—*Leslie*, 62, ap. *And. I.*

## CHAPTER V.

CONDUCT OF MORTON IN ENGLAND—INSURRECTION ON THE BORDER—VISIT OF MARY TO THE HERMITAGE—REAL MOTIVES OF THE JOURNEY—SEVERE ILLNESS OF MARY—ABSENCE OF DARNLEY—VISIT OF MARY TO BERWICK—PROPOSAL BY MURRAY AND HIS PARTY OF A DIVORCE—MARY'S REJECTION OF THE OFFER—BAPTISM OF JAMES—RECAL OF MORTON THROUGH THE INTERVENTION OF ELIZABETH AND CHARLES IX.—DEPARTURE OF DARNLEY—HIS ILLNESS AT GLASGOW—VISIT OF THE QUEEN TO HIM—HIS REMOVAL TO EDINBURGH—MURDER OF DARNLEY—EVIDENCE OF THE INNOCENCE OF MARY DRAWN FROM THE CIRCUMSTANCES OF THE EVENT.

DURING the progress of the events after the death of Riccio, which have recently occupied our attention, the Earl of Morton, the visible leader of the conspirators, had been residing in exile in England; but he had not been idle. Abiding near the Border country,—a portion of the kingdom the inhabitants of which were, from their close proximity to a foe, and their constant warfare, a very turbulent people—he had succeeded in creating very considerable commotions, and great fears were entertained that he would succeed in his treasonable attempts. Proclamations were, accordingly, issued by Mary to call her subjects to arms, to defend their common country; and sending the Earl of Bothwell,—the lord lieutenant of the Marshes, to which post he was appointed by the Queen-dowager,—in advance,

to quell the tumults, she proceeded to Jedburgh, attended by a large train of nobility, to hold justice courts for the trial of the insurgents.

In the meantime, Bothwell, in the course of an engagement with an unruly Border tribe, incited and encouraged in their revolt by Morton and his friends, had been dangerously wounded; so much so, indeed, that the report at first prevailed that he was slain; and an old writer declares that he was injured "in divers parts of his head and body, so that he hardly escaped with safety of his life."<sup>1</sup> And at the same time a secret plot was in existence to procure his death, though the details which have been handed down to us concerning it will only permit us to conjecture who were concerned in the device; but of its existence there cannot be a reasonable doubt, since the Earl of Bedford writes, on the 12th of August, to Secretary Cecil, "I have heard that there is a device working for the Earl of Bothwell, the particulars of which I might have heard; but because such dealings like me not, I desire to hear no further thereof."<sup>2</sup> And the insurgents, growing bold from this sudden success, declared that they would withstand the lieutenant to the utmost, and would submit only to the Queen in person.<sup>3</sup>

(1) Keith, 351.

(2) Cott. MSS. Calig. B. x. fol. 382.

(3) Cott. MSS. Calig. B. x. fol. 380.

Under such circumstances her duty was obvious,—to take the course which alone promised to restore tranquillity to the disturbed district. Accordingly, on the 16th of October, eight days after the affray in which Bothwell received his wound, and when he was so far advancing towards a recovery that, on the 25th of the same month, he was able to attend a council at Jedburgh,<sup>4</sup> Mary, attended by a sufficient train, proceeded to the Hermitage, the temporary head quarters of the forces; a distance of eighteen Scottish miles. But the rebels fled at her approach, and took refuge within the English borders; and Mary, finding this to be the case, immediately retired, and returned the same evening to Jedburgh. And the next morning “a mass of papers,” to use the words of the record, was forwarded to Bothwell.

From the bare facts of this journey—and the circumstances concerning it have been collected from authorities the most impartial and authentic—we can certainly deduce but little to the disadvantage of Mary. That she should fly to the field when she found her presence necessary for the protection of her country, that she should retire instantly when that presence was no longer needed, and that the next morning she should furnish her lieutenant with

(4) Keith, 352. “Lord Bothwell is here, who convalesces well of his wounds.”—*Leslie, from Jedburgh*, Oct. 27. *Keith*, App. 136.

fresh instructions for his future guidance, which were rendered necessary by the change of circumstances which had taken place, are actions not very unnatural, and seem to me to redound rather to her honour than to her discredit. But to the enemies of the Scottish Queen, this journey has furnished a most fertile field for calumny and reproach. To detail the strictures of Buchanan,—the wholesale libeller of Mary, a man who was never dismayed by the absence of facts, since the productions of his own fertile brain were far better suited to sustain his monstrous defamations,—would be a task to me so disgusting, that I shall not venture upon the attempt. But—to pass to a more respectable authority—even Dr. Robertson seems to consider that the conduct of Mary could be accounted for on no other ground than the existence of violent and ungovernable love.<sup>5</sup>

Yet the circumstances of the case seem to denote very little of that ardent affection which is there ascribed to the Scottish Queen. Setting aside the fact, which is nevertheless worthy of notice, that the Earl of Bothwell was at this time between forty and fifty years of age, and nowise remarkable for the beauty of his person, or the refinement of his mind, while Mary, the loveliest and most accomplished

(5) Robertson, I. 389. Turner's Hist. Eng. IV. 67.

woman of her time, was but twenty-three,—laying no stress on this circumstance, much as it adds to the improbability of the tale, I must be allowed to dispute the authority of Dr. Robertson in matters of love, and to assert that the conduct of Mary is utterly irreconcilable with the existence of such a passion as she is asserted to have entertained. Although the object of her ardent affection was wounded in a manner so dangerous as to place his life in peril, yet, instead of flying on the instant to see him, and to alleviate by her society, and the consolation which she could afford, the sufferings to which he was subjected, she allowed eight days to elapse before she moved towards him; she went there, not alone, or with a small retinue, but attended by a considerable train; and instead of remaining with him for any length of time—a step for which the ready casuistry of love might have assigned a thousand reasons—she left him immediately, and returned the same evening to her former abode. While we allow such an hypothesis as that of Robertson and his followers to subsist, such conduct must ever afford us the most perplexing difficulty; but if we at once remove it from our minds, and assign to the journey the political object which I have stated, and which every species of extraneous evidence seems to point to as its real motive, each action meets with a ready explanation,



and the whole circumstances start forth from the dimness and obscurity in which they have been enveloped, into the brilliant light of day.

But the melancholy and exciting scenes through which she had recently passed—the misconduct of her husband,<sup>6</sup> the troubles of the kingdom, and, more especially, the effect of the night air in her hurried return to Jedburgh—were too much even for the naturally good constitution of the Queen; and she was seized with a violent and malignant fever, which for some time exposed her life to the greatest danger. As she felt the increasing weakness of her frame, and perceived in the virulence of her disorder the probable near approach of death, she prepared to banish from her mind the cares of state, and to meet with calmness and resignation the dissolution of her mortal life. Calling around her the chief of the nobility, while her old and faithful servant, the Bishop of Ross, remained by her side, she made confession to God of the manifold errors into which she had fallen, imploring His forgiveness for the faults of her past career; and, desiring that His holy will might in all things be fulfilled, she

(6) "The occasion of the Quene's seikness, sa far as I understand, is causit of thought and displeasure; and I trow by that I could wring further of her awin declaration to me the root of it is the King."—*Lethington*, ap. *Brit. Mus. Ayscough's Cat.* 3199, £ 77, from *Mem. Scot.* in Scotch Coll. in Paris.

declared that, whether it pleased Him to suffer her to remain in this world, for the governing of His people committed to her care, or to receive her to His bliss, gladly would she accept what His will appointed, and be content to die, with as good heart and will as she would continue to exist. But, before her soul fled from its frail tenement, to join the departed spirits in another world, she would exhort her nobility to soothe those mutual discords which prevailed among themselves, and to attend rather to the good government of the realm, and the happiness of the whole people, than to the support of party feuds, unworthy of their exalted position. She committed to their charge her infant son, and implored them, with all a mother's tenderness and anxious love, to separate him in his youth from all who could afford to him an evil example of conduct, and to instruct him in all the precepts of godliness and virtue. And she concluded this exhortation—well worthy, in all its features, of a truly Christian woman,—by beseeching them to watch over the welfare of religion in the realm, and to abstain from persecuting those who persevered in their attachment to the ancient faith.'

The hopes of her enemies, and the anxious fears of her friends, were both doomed to be dis-

appointed. The strength of her constitution overcame the violence of the disease, and, after lying for some time in a state of the most imminent peril, her life was at length pronounced to be free from danger.

But where was Darnley during this critical period of his queen's condition? Was he watching tenderly by her bedside, and endeavouring, by the solace which love alone could afford, to alleviate the pains of her disease, and the afflictions of her mind? Not so. He was at Glasgow,<sup>8</sup> and remained there until the 28th, eleven days after the commencement of her illness; and then, when he at last arrived, he remained but a short period, and, finding himself treated with some degree of coldness and formality, speedily retired.

To assert, with Mr. Turner, that he came as soon as he could; and that, considering the distance of Jedburgh from Glasgow, there was hardly time for the news of her illness to have reached him, and for his arrival afterwards in a shorter space of time, is obviously absurd; for the distance between these places was only eighty miles; and, as we have already seen that Mary travelled nearly forty miles in one day, it would have been perfectly possible for him, at the same rate, to have heard of her

(8) Keith, App. 133.

illness, and to have reached Jedburgh on the 21st, seven days before he really did so. Yet this position seems to me not much more erroneous than to attribute the absence of Darnley to an entire carelessness with regard to the situation of his Queen. The question to be decided really is, whether Darnley was aware of the imminent danger of his wife; and upon this will depend our just opinion of his conduct. From various circumstances of her life, it is very evident that Mary was subject to temporary indispositions, which were so frequent as to be denominated, by one historian, habitual,<sup>9</sup> unaccompanied, however, with any actual danger; and as she was surrounded by Murray and his faction, Darnley would very probably have abstained from exposing himself to the risk of contact with them, if he had thought that her illness arose only from one of these constant ailments. Her great danger he could only have learnt from those who surrounded her, since Mary herself could not, of course, send to him; and that such a communication was made, I am not at all inclined to believe. The French ambassador, M. le Croc—a very able and conscientious man, who on another occasion deploras the bad conduct of Darnley,<sup>10</sup>—condemns his absence

(9) Turner, *Hist. of Eng.* IV. 5. Haynes, 510. Murdin, 158.

(10) "The King's bad deportment is incurable; nor can there

as an inexcusable fault, but urges his reprobation conditionally: "if he has been informed by any one;"<sup>11</sup> and this shows that it was to him a matter of doubt. And if we ask what motive could have induced such conduct on the part of Murray, we shall find that he had been for a long time endeavouring to undermine Darnley's character with the Queen; and nothing was more likely to lead to a lasting breach between them, than the supposition on Mary's part of a neglect so cruel. And we accordingly find that when she was recovering from her attack, and learnt that her husband had not come near her during its continuance, she at once accounted for his conduct on the only ground that could present itself to her—indifference towards herself; and, consequently, treated him, on his tardy arrival, with a corresponding coldness and formality; and the miserable Prince, unable to sustain the neglect which his own misconduct had indirectly caused, hastily left the Court.

As soon as she was sufficiently recovered to travel with safety, Mary made a progress through a portion of her kingdom, and visited the town of Berwick, where she was received with much honour

be any good expected from him for several reasons, which I might tell you were I present with you."—*Le Croc to the Abp. of Glasgow*, Dec. 23, 1566, apud *Keith*, Preface, vii.

(11) "Si est-ce qu'il a été adverti par quelqu'un."—*Le Croc* apud *Keith*, App. 133.

and formality by Sir John Foster, the Deputy-Warden of the English marches ; and she terminated her tour at the Castle of Craigmillar, where she purposed abiding until the celebration of the baptism of the Prince, which had been appointed to take place at Stirling.<sup>12</sup>

The Earl of Murray, and his firm ally, Maitland of Lethington, had been endeavouring, ever since the death of Riccio, to obtain the recal of their friend, the Earl of Morton ; but the Queen, struck with horror at the odious crime in which he had been engaged, and revolting at the idea of receiving again into her councils a man whose hands were thus stained with the blood of his fellow-creatures, had hitherto utterly refused to entertain their prayer, and there seemed to be no hope of attaining the object they desired. They pretended, however, to imagine, that this refusal of the Queen proceeded not from her own free will, but from the influence of Darnley ; and upon this supposition was grounded the whole of the conduct which we are about to narrate. That they really entertained such a belief, presumes a degree of folly in them which it is impossible to suppose them to have possessed ; and to imagine them to have been guilty of deception in this instance, will be by no means doing violence to their general character.

(12) Knox, 436. Keith, 353.

Murray and Maitland then proceeded to the Earls of Huntly and Argyle, and endeavoured to secure their aid in their future designs. They confessed that Riccio had been slain by Morton, Ruthven, and Lindsay, for no other end than to save Murray from attainder; and they represented that it would be ungrateful in the highest degree to desert those who had done him so important a service. But this, they averred, could not be unless the Queen might be divorced from her husband,—and in order to gain their consent to this measure, it was promised that the ancient inheritance of the Earl of Huntly should be again restored to her possession. And Argyle and Huntly, having promised to countenance the design, proceeded together to procure Bothwell's concurrence: a mode of proceeding which seems to argue much against the paramount importance which is assigned to this nobleman in the council of the Queen, since he was the last consulted on this important matter.

In a letter by Maitland to the Scotch ambassador at Paris, penned on the ninth day of Mary's illness, about six weeks before the events which we are about to narrate, this subtle intriguer and wily politician declares, with regard to Mary and Darnley, "that it is ane heart break for her to think that he should be her husband, and how to

be free of him she sees no outgait.”<sup>13</sup> But the revolution of time had brought with it a change of the circumstances in which she was placed. If, at the period at which Maitland wrote, her mind could devise no means by which to relieve herself from this onerous burthen, it was not so now; for the chief members of her administration—the Earls of Murray, Argyle, Bothwell and Huntly, and her secretary, Maitland—came together into her presence, and proposed to effect for her a divorce from the cause of her misery and sorrow.

But how did they submit this request? Did they take for granted, as a thing evident to all the world, and a circumstance which even she herself did not endeavour to conceal, her hatred and aversion towards her husband, and offer to gratify that by separating him for ever from her, and relieving her from his odious presence? No, they did not so. Maitland, acting as the spokesman of the whole, “aggravated with much sharpness of words the king’s errors and offences against the Queen and realme,” and, after dwelling much on all the faults which he had committed, he concluded by desiring that “there should forthwith be a divorce, forasmuch as the King and Queen could not live together in Scotland in security.” At

(13) Lethington, Brit. Mus. Ayscough’s Cat. 3199, fol. 77.



first all the neglect, and all the injuries which she had suffered from her husband rose up before her, and she gave a hasty assent,—provided, however, that the divorce might be made lawfully and without prejudice to the rights and honour of her son ; averring, as the narrators of the scene themselves tell us, that otherwise she would rather suffer all torments, and abide all the perils which might ensue to her in the course of her life. But, when the particulars of the proceeding were discussed, and it was proposed that, after the divorce was effected, the parties should reside in distant and separate portions of her realm, her heart was touched with compassion for her miserable husband, and perhaps a gleaming idea that his late conduct did not all originate in his own free will flashed across her mind, for, hastily setting aside her former approval, she declared that it would be better that she should pass, for a time, into France, until he should see the errors of his youth, and return to the paths of virtue. In vain did Maitland urge that she should allow them to proceed ; fruitlessly did he promise that Murray should countenance their actions ; for, spite of all his eloquence and entreaty, Mary broke off the interview by forbidding any such course as had been proposed, and praying them to let the matter rest until God in his goodness should put remedy thereto.

Such were the transactions at this celebrated meeting, narrated by authorities beyond the reach of doubt—the Earls of Huntly and Argyle,<sup>14</sup> two of the noblemen who took part in the proceedings,—an interview the details of which have been very much misrepresented by some of the milder foes of Mary; while Robertson, one of the most unscrupulous of her defamers, has suppressed all notice of its existence in his very partial history of her reign.

The period appointed for the baptism of the infant prince drawing nigh, Mary proceeded to Stirling to attend it, and the King went thither, as if intending to be present also. But the Earl of Bedford, who was sent by Elizabeth to attend and represent her on that occasion, had received express commands from his royal mistress to refuse to the husband of the Scottish Queen the title of King,<sup>15</sup> and the French Court had been so greatly offended by his conduct, that their ambassador, M. le Croc, had been instructed to

(14) Appendix C. Cott. MSS. Calig. c. I. f. 282. Goodall, II. 316. Anderson, IV. 188. Keith, App. 136. Summary in Camden, I. 93.

(15) Appendix D. "About the same time also, approached the day appointed for the baptizing of the Prince of Scotland: at whose Christening the Queene of England, being requested to be godmother, sent the Earl of Bedford with a Font of Gold for a present, and commanded expressly, that neither he, nor the Englishmen that were in his company, should give the Lord Daryl the title of King."—*Camden*, I. 87.

avoid his presence ; a fact which he communicated to Darnley, when he requested an interview, by politely intimating that his apartment had two doors, and that the entrance of the King at the one would compel his own exit at the other.<sup>16</sup> The fear of insult was, therefore, a motive amply sufficient to induce his absence, though he remained at Stirling during the whole period of the ceremony ; and Mary, who in his absence superintended the proceedings, and who, by the quiet and easy dignity of her demeanour amid the heavy trials to which she was subjected, won the admiration and sympathy of all, was yet compelled often to retire from the gay and stirring scene, to solace with her tears the misery of her bursting heart.

As soon as the rejoicings connected with the ceremony were over, the Earl of Bedford and Castelnau, in the name and by the command of their respective monarchs—the Queen of England and the King of France—besought the return of Morton and his associates from the banishment which they so richly deserved,—and their efforts were seconded by the prayer of the principal of the Scottish lords. That the sovereigns of the two nations of Europe, which at that period laid the highest claims to civilization and religion,

(16) Keith, *Introd.* vii. Strickland's *Letters of Mary*, III. 17.

should thus intercede to obtain the pardon of murderers—men who had been guilty of the brutal assassination of a harmless victim, coupled with circumstances which tended to aggravate their guilt in the highest manner, certainly speaks but little for their moral feeling; but, however we may view their conduct, the fact that such intercession was made, stands beyond the reach of cavil,<sup>17</sup> and utterly refutes the vile insinuations of Dr. Robertson, that the pardon which she had denied to the solicitations of all others was granted by Mary to the request of the Earl of Bothwell.<sup>18</sup> At first, however, she imposed the condition that two years should elapse before the return of the criminals; and, even when the urgent and repeated requests of her council induced her to abrogate this clause, they were still forbidden to approach within seven miles of her Court.

No sooner was the pardon granted, than Darnley, feeling that if his life had been in danger before, his peril was now increased tenfold by the triumph of the men he had betrayed, left Stirling with extreme precipitation, and hastened to his father's residence at Glasgow, without even taking leave of the Queen. But he had fled into the midst of danger, for the small-pox was then raging in

(17) Keith, VII. 429. Chalmers, 175, 342.

(18) Robertson, I. 402.

Glasgow, and it was not long before he fell under its influence, his constitution, worn by dissipation and excess, rendering him a ready victim to such a disorder.

The melancholy state of Mary's mind, after this joyless celebration of that which ought to have been a source of the highest felicity, made her very unfit for the discharge of those public duties which a renewal of the long-disputed point of the treaty of Edinburgh rendered more than usually onerous at that period; and, to divert the sadness which oppressed her spirits, she engaged in excursions to the houses of some of her nobility in the vicinity of Stirling, and afterwards proceeded to Edinburgh. There she first heard of the illness of her husband; and soon after this she received from himself an intimation that he desired to see her.<sup>19</sup>

And did she, as we should expect from the statements of some of her opponents, persevere in that bitter hatred which she is asserted to have entertained towards him? Did she refuse with scorn his pressing entreaty, and, as he had deserted

(19) "And therefore hearing and advertised, that he was repentant and sorrowfull, and that he desired her Presence, she, without Delay, thereby to renew, quicken and refreshe his Spirites, and to comfort his Hart, to the amendment and repaying of his Helth lately by Sicknes sore impaired, hasted with such Spede as she conveniently might, to see and visit him at Glasco."—*Leslie*, 12, apud *And.* I.

her in the hour of sickness, did she retaliate the injury upon him, by leaving him, in that moment of agony and peril, to the rough consolations of a stranger's hand, and allow his troubled spirit to breathe forth its last sigh uncheered by the sounds of one tender voice? No: far, far different was the course which she pursued. Nor could we anticipate such conduct from the whole spirit of her previous actions. Forgiving, palliating, and even disbelieving his participation in that deep and bitter insult to her sex and station which he had countenanced and approved; exerting every art of eloquent persuasion to prevent his departure into another land; refusing utterly to accept the divorce which was pressed upon her by her assembled nobles; and her heart bursting with agonizing grief at every new instance of his coldness and neglect, we see her, through every portion of her career, sorrowing bitterly over her husband's conduct, refusing to close against him the path of repentance and reformation, and endeavouring by every means to persuade him again to tread the ways of virtue. And so, when she received this intimation of a desire which appeared to indicate contrition and returning love, she lost not a moment in complying with his urgent prayer,—and, disregarding the inclemency of the season, and the distance which intervened between them, she set

out hastily from her palace, and rested not a moment until she stood at the bedside of the repentant King, who could now give play to all his ardent affection for his lovely Queen, undismayed by the presence of those reckless and blood-thirsty men from whom he felt, every moment, in danger even of his life.

Can anything be more natural than conduct such as this? Could we expect with justice any other course of events than that the woman who had, under every trial, maintained an affection so firm and unshaken, and whose heart, open and confiding, had never hardened itself against her erring husband, should view with unmingled joy the first symptom of a change, and welcome back the erring wanderer from his duty with all the fond forgiveness of a pure and earnest heart? And yet, such is the obliquity of human reason, this reconciliation, so honourable to the character of the Scottish Queen, has been converted by one of her enemies into an instrument for her condemnation, and characterized by the titles of artifice and dissimulation!<sup>20</sup> Dark, indeed, and pitiable must be the condition of that human heart to which the exercise of the highest and most godlike attributes of our nature can sug-

(20) "To those who are acquainted with the human heart . . . this sudden transition will appear with a very suspicious air, and will be considered by them as the effect of artifice."—*Robertson*, I. 408.

gest no higher thoughts but those of hypocrisy and deceit, and in the philosophy of which the ardent and genuine impulses of a true woman's heart can be accounted for only by the supposition of treachery of the blackest dye. It was no sudden transition which was manifested by this reconciliation, as the historian in question has ventured to declare ; but it was the crowning act of a long course of forgiveness,—the full bursting forth of those tender feelings which had been long imprisoned in her breast,—which had sprung to the light on various occasions of her conduct, and which all the coldness and cruel neglect which she had experienced had been unable utterly to destroy.

But she had been compelled to leave the infant prince at Edinburgh, since the severity of the season would have made it dangerous to remove him ; and as, in addition to this, the affairs of the realm required her attendance at the seat of government, it was resolved that the King should be carried thither so soon as his disease had so far abated as to render such a course safe and advisable. To the palace he could not be taken, since the regulations of that age forbade the entry within the city walls of any who were afflicted with his contagious malady ;<sup>21</sup> but, in order to have him as near to her as

(21) Carte, III. 446.



was conveniently practicable, he was placed in a house which had been the residence of the Superior of the Church of St. Mary's-in-the-Fields, and one side of which was close to the town wall; and a locality nearer to the city it would have been difficult to discover,—while the placing her husband in Holyrood-house would have exposed the life of the prince to considerable danger.<sup>22</sup>

Having placed him in this abode, Mary did not relax a moment in the assiduous care with which she treated him; but, although exposing her own life to considerable risk, she remained by his bedside, tended him with the most unremitting and affectionate zeal, and slept for several nights in a room immediately under that in which Darnley himself was lodged; and so perfect was the amity which prevailed between them at this time, that Clernault—an observant man—avers that, “Sa mate et le roy estoient au meilleure mesnage que l'on pouvoit desirer.”<sup>23</sup>

Some little time previous to these events the Queen had promised to attend a masquerade which was to be given at the marriage of Sebastian, one of her suite, and the 9th of February was the evening chosen for its celebration. But since this chanced

(22) “S'il logeoyt a l'Abbay le Prince pourroit bien prendre sa maladie.”—*Paris's Suppositious Confession*, apud *And.* II. 193.

(23) Clernault, apud Chalmers, II. 114.

upon the Sabbath, Mary, in deference to the views of her Protestant subjects, had directed that its commencement should be postponed until after the hour of midnight,<sup>24</sup> and she, therefore, remained with her husband until some time past eleven o'clock. The certainty of her absence on that occasion had matured the schemes of the conspirators; the mine was dug—the train laid, and her departure alone waited for to enact the last scene of this fearful tragedy of crime.

Nothing can be imagined more tender than her demeanour towards him on that memorable evening—her last earthly meeting with the man whom she had loved so constantly and so well, and whose errors had caused so many of the sorrows of her life—conduct which has been detailed to us by those who have endeavoured to affix to it the character of perfidy, but the narration of which defeats the schemes of the calumniator, by painting to us, in the brightest colours, the amiable character of her soul. Her heart, sympathising, perhaps, with the happiness at the completion of which she was about to assist, seemed filled with the most generous sentiments of our nature, and it poured forth its richest treasures of affection upon him whose couch she had attended in the hour of sickness, and whose

(24) "Proximum mane ludis et lætitiæ destinârat."—*Buch. Hist.* XVIII. 351.

altered conduct and returning health seemed to afford the brightest prospect of years of unmingled joy. She lingered by his side ; and when at last the lateness of the hour and the remembrance of her promise admonished her to depart, she parted from him with a tender embrace, and tore herself reluctantly away.

But the die was cast : that embrace was their last on earth, and those two fond hearts, long divided by the arts of factious men, and upon which the warm influences of returning love had begun to shed their genial smiles, were destined to commune no more amid the dark and care-clouded scenes of this mortal life. They parted ; he to expiate, in some degree, by the cruel violence of his death, those errors into which he had been drawn by others, and which brought down this punishment upon him, and to pass into that rest where the schemes of a Murray or a Morton could no longer agitate his trembling soul ; she, to go through many a scene of misery and sorrow ; her fair fame blackened by defamation, her worldly dignities torn from her, and her mortal frame destroyed in a manner scarcely less violent or more legal than his, but to be sustained through all the troubles of her career, and solaced in the awful hour of death by the sweet voice of a self-approving conscience, to receive from the impartial verdict of time that justice which was

denied to her in her life ; and, finally, (for who can doubt that she will ?) to attain to that eternity of cloudless bliss, reserved for those whose innocence and unspotted virtues secure to them the persecutions of wicked men on earth, and who, undismayed by those terrors which would appal a weaker heart, persevere in unstained purity to the end.

Scarcely had her receding footsteps ceased to echo through the halls of this lone abode, when other and darker forms approached, and the ministers of death pressed eagerly around their helpless victim. When the house had been taken for the King, the key of the cellar had been retained, and into a mine dug in this had been conveyed the powder for the completion of their design ; and now the wished-for moment had arrived when a terrible reality was to be given to their cherished schemes against their monarch's life. Long had they hated him with a deep and bitter hatred ; long had they desired, with fiendish malice, to glut their thirst for vengeance with his blood, and avenge with one blow his desertion of their cause ; and now the hour was come, and the long sought prey lay unresisting within their grasp. They gathered exultingly around the couch where, enfeebled by severe illness, lay the consort of Scotland's Queen ; they tore him from his bed ; and a moment sufficed to terminate that life which their schemes had made so wretched.

They cast his body into the garden, and then a match applied to the train which they had prepared, hurled the dwelling into the air, and destroyed the scene, though it could not obliterate the memory, of their fearful crime.

And had she a share in that dark and dread transaction? Was she an accomplice in that cruel and heartless murder? The tender and forgiving character of her heart, the gentleness of her sex, and the whole tenor of her previous life, combine to raise an indignant shout against a calumny so foul as this; and the very circumstances of the event show us, that to suppose her guilty is to violate at once the simplest rules of common sense. Shutting out from our view every feature of her previous conduct towards her husband, and imagining, for the moment, if we can, that she hated and despised him, what would be her object in procuring his violent death? No other reason could induce her to such a step but the desire to be released from his presence, and this, of course, in the most certain, speedy, and secret manner. What, then, would have been the course natural to be pursued? The King was suffering from a disease which was very generally fatal to those who came under its influence, and which, even in the present age, when advances so important have been made in the healing art, is considered as one of great violence and

danger ; and as he was entirely under her care, and attended by her own physician,<sup>25</sup> a dose of poison would have procured his certain death, while even the most suspicious would not have been disposed to cavil, but would have attributed his decease to the fatal termination of his disease.

But let us for a moment reverse the picture, and consider what motives would have influenced Murray, Morton, and their party, had they contrived and executed this fearful deed. Revenge upon the King would, perhaps, have been a grand incentive, and a desire to punish his treachery towards themselves might have first suggested the fatal scheme. But there was another, and by no means a minor object—ambition. Grasping eagerly at the acquisition of power, which was denied to him by the irregularity of his birth, the Earl of Murray could still be but second in the realm while Mary held the reins of power ; but, if by any means her deposition could be procured, then his relationship to the young Prince would give him the highest claim to the regency during his long minority. The death of the King, then, would have been the first object to be secured ; but the casting of suspicion upon the Queen, in whose charge he then was, would be another end, by no means to be forgotten or overlooked.

(25) Bedford, apud Chalmers, II. 557.

How far, then, did the actual circumstances of the murder comply with these objects of the various suspected parties? Was the death of Darnley—and that a secret death—the only end attempted to be attained? No; very far from this was the obvious aim of the assassins. His death was, indeed, secured by strangulation;<sup>26</sup> and every chance of his accidental escape was thus destroyed; but then, his body having been removed to some distance that it might be recognised, unscathed by the explosion, the house in which he had resided was blown into the air, and the fact that he had died a violent death thus placed beyond dispute, while suspicion was most likely to fall upon those under whose care he then resided.<sup>27</sup> Such conduct in the Queen, would have marked a degree of blindness and insanity of which it is utterly impossible to believe her guilty; while, on the other hand, if we once suppose that the whole matter was contrived and executed by Murray and his associates, of whose guilt we shall have further evidence to adduce hereafter, every circumstance meets with a ready and an immediate solution.

Thus, then, even admitting the assertions of her

(26) "Strangled in his bed and throwne forth into an orchard." *Camden*, I. 88. "A napkin was stopped in his mouth, and he therewith suffocated."—*Melvil*, 78.

(27) Tytler's Enquiry, II. 82, *et seq.* I have mostly followed this writer's admirable argument on this point.

foes with regard to her feelings towards her husband, the circumstances of the murder, which one of her opponents has been compelled to admit to be inexplicable,<sup>28</sup> according to the system which he has adopted, tend, if properly considered, entirely to remove the imputation of guilt from Mary, and to fix it upon the men who were afterwards foremost among her accusers. And when we remove this veil which we have permitted for the moment to obscure our strong convictions, and connect these facts with her previous conduct, her innocence shines forth with a brightness which all the clouds of calumny are utterly unable to obscure.

Thus perished, at the early age of twenty-one years, King Henry Darnley, at the moment when all the disagreements between himself and his Queen seemed to be at an end, and when he might justly look forward to a long career of happiness and virtue. And, while we lament his untimely end, we cannot fail to perceive that his sad history affords us one of those lessons which make transactions of the past so important a branch of human

(28) "It is to this moment inexplicable why such a public and revolting mode of death should have been chosen by the murderers, who could with equal ease have quietly destroyed him in his chamber, or in the garden, without the general alarm of an explosion, which on no supposition could be deemed accidental, and which was certain to excite the most general indignation."—*Turner's Hist. of Eng.* IV. 103—105.



study ; for, from one error of his early career—the leaguings with a band of traitors to violate the most sacred law of God, and to shed, unprovoked, the blood of a fellow man,—sprung all the calamities of his own life, and many which were not developed until his body had long crumbled into its kindred dust. The banishment from the society of his wife, which was interpreted by her as arising from coldness and indifference, had its source in this alone ; and, even when that punishment seemed removed, his death, by the hands of the men whom he had deceived, followed in rapid succession after it, and, like it, took its origin from that early crime : nor did the stream of misery cease until the rank, the tranquillity, the life of Mary, and the peace of the Scottish realm, had been sacrificed at its fearful shrine. All these evils sprang from the one fault of Henry Darnley ; and the example should stand as a solemn warning to those who hesitate not to fall into error, hoping to avert its consequences by an after-life of repentance and regret. Here let them see the fallacy of their hopes, and here learn an important lesson for their earthly guidance.<sup>29</sup>

## CHAPTER VI.

EARLY OPINIONS REGARDING THE MURDER—GRIEF OF MARY—  
SUBMISSION OF BOTHWELL TO TRIAL—REQUEST OF THE EARL OF  
LENNOX THAT THE TRIAL MIGHT BE EXPEDITED—SUDDEN SUS-  
PENSION OF THE INVESTIGATION IN THE COUNCIL—REASON OF  
THIS—THE LAIRD OF TULLIBARDINE—SIR JAMES BALFOUR—  
TRIAL AND ACQUITTAL OF BOTHWELL—RATIFICATION OF THE  
SENTENCE BY PARLIAMENT—RESTORATION OF REVOKED GRANTS  
OF THE CROWN—AMBITIOUS SCHEMES OF BOTHWELL—BOND OF  
THE NOBLES—REJECTION OF BOTHWELL BY MARY—CAPTURE OF  
THE QUEEN—PERSUASIONS OF BOTHWELL—FIRMNESS OF MARY  
—VIOLATION OF HER PERSON—MARRIAGE OF MARY AND  
BOTHWELL.

THE news of an event such as this, could not be spread abroad without exciting the busy conjectures of thoughtful men with regard to the perpetrators of the deed; and the first surmise was not very far from the truth, for “a rumour was forthwith spread over Britain, laying the fact and fault upon Murray, Morton, and other confederates;”<sup>1</sup> and this, if it proves nothing more, at least seems to demonstrate that the previous conduct of these men had not been so immaculate as some of their admirers would fain induce us to believe.

But where was the Earl of Murray? Was he at the time within the city of Edinburgh, and was it possible that he should have been assisting at

(1) Camden, I. 88.

the murder? No, he was absent; yet his absence infers a stronger presumption of his guilt than could ever have been drawn from his immediate presence. For, although he was free to come and go as his own free will dictated, and needed not, therefore, the sanction of any for his departure, yet, on the afternoon of Sunday, the ninth of February, he publicly solicited permission to visit his wife, who, he averred, was then lying dangerously ill—a permission which he readily and immediately obtained. But, since such was not needed, we can assign but one motive to his conduct, and that was the desire to make his absence specially marked and publicly known to all around.

But all the precautions which he had taken were insufficient to secure him from detection, and his own mouth pronounced his strongest condemnation. Riding, on that memorable evening, in Fife, in company with one of his most assured and trusty servants, to whom he unbosomed some of the dark secrets of his soul, he said, “This night, ere morning, the Lord Darnley shall lose his life.”<sup>2</sup> But his confidence was betrayed; for at his own

(2) “Is it unknown, think ye the Earle Murray, what the Lord Harris said to your Face openly, even at your owne Table, a few Daies after the Murther was committed? Did he not charge you with the Foreknowledge of the same Murther? Did not he, *nulla circuitione usus*, flatly and plainly burden you, that you riding in Fiffe, and comming with one of your moste assured trusty

table, in Edinburgh, the Lord Herys, one of the noblest and best of the Scottish lords, charged him with this to his very face; and the record of the fact has been transmitted to us, uncontradicted, in that truly noble work which Lord Herys himself, with Leslie and Boyd, penned in vindication of the Scottish Queen.<sup>3</sup>

But the conduct of Mary after these melancholy events will be more interesting to us, and will better repay our investigation, than the consideration of the actions of these reckless and violent men: though this last is not without its uses, since it shows us that the utmost care of the criminal will sometimes be exerted in vain, and that, in spite of all his precautions, his vices will burst their cerements, and disclose themselves, in all their deformity, to the contemptuous gaze of his fellow-men. Deep and fervent sorrow seems to have filled the soul of the widowed Queen at the first intelligence of this blighting blow to all her cherished hopes;<sup>4</sup> she called her nobles hastily together, and, addressing them with all the marks

Servants the said Day wherein you departed from Edenborough, said to him, among other Talke, 'This Night ere Morning the Lorde Darley shal lose his Life?'—*Leslie*, 75, apud *Anderson*, I.

(3) "It was made . . . by the Lord Hereys and Lord Boyd, and the Bishop of Ross."—*Affidavit of A. Harvey, servant of the Bishop of Ross, in the Paper Office*.

(4) Clernault, apud Chalmers, II. 445.

of genuine and heartfelt grief, she urged them to pursue and bring to trial the wretched perpetrators of this odious crime, declaring that the punishment she would inflict upon them should be a monument of her justice to every succeeding age.<sup>5</sup> How vainly were these good and just resolves addressed to the chief leaders of the assassin band!

And, while she thus took every public measure to secure the conviction of the culprits, her sorrowing heart found a solace for its afflictions in private and solitary seclusion. At first, indeed, she persevered in this to so considerable an extent, that her health was endangered; and her Council seconded the efforts of her physician in endeavouring to restrain this immoderate indulgence of her grief.<sup>6</sup> Mr. Kiligrew, who had been sent as an envoy from Queen Elizabeth, to condole with Mary upon her melancholy loss, with difficulty obtained an interview, and was then admitted to an audience which a recent

(5) "The same being discoverit quhilk we watt God will never suffer to ly hid, we hope to Punisch the same with sic Rigor as sall serve for Exemple of this Crueltee to all ages to cum."—*Mary to Abp. of Glasgow, Mem. Scotch Coll. Paris*, apud *Keith*, Introd. viii. Feb. 11, 1567.

(6) "Who had a longer Time in this lamentable Wise continued, had she now ben moste earnestly dehorted by the vehement Exhortations and Perswasions of her Counsaile, who weremoved thereto by her Physitian's Informations, declaring to them the great and imminent Dangers of her Health and Life, if she did not in al spede break up and leave that Kind of close and solitariee Life."—*Leslie*, 24, apud *Anderson*, I.

writer has sneeringly denominated theatrical,' but which appears to me to present no other feature than might be expected in the conduct of a woman gifted with a tender and sympathising heart, but one month after a beloved husband had been torn from her arms by a violent and cruel death. If historians would sometimes condescend to be also men, and endeavour to remember, while recording the actions of the mighty dead, that they are detailing the lives, not of inanimate puppets, but of human beings, formed with hearts like those which beat within their own breasts, then should we arrive at a stage of historical investigation far higher than that which we have yet attained, or can ever hope to reach while under the influence of the cold philosophy which now prevails in this branch of human study. Then would the warm and open-hearted forgiveness of a generous woman towards her repentant husband no longer be considered unaccountable except upon the supposition of treachery and deceit; and her genuine sorrow for his death would be rewarded, not with sneering ridicule, but with admiration and esteem; while the annalist, his soul glowing with indignation at the wrongs of others, sympathising in their sorrows, and weeping over their unmerited woes, would be refined and humanized by his daily

(7) "An audience, which appears from his description to have been rather theatrically arranged."—*Turner*, IV. 109.

studies; and history, breaking through the harsh cold veil which has so long enveloped her, would assume her proper station, as a record, not simply of the revolutions of empires, but of the varying phases of the human heart, teaching from the errors of the past the noblest lessons for our future guidance.

The ruling faction did not suffer the suspicion to rest for a long period upon their own heads; for, on the day succeeding the murder, after a proclamation had offered a high reward for the discovery of the murderers, James Murray, the brother of the Laird of Tullibardine, one of the Murray faction, posted anonymous placards in various portions of the city, and especially on the Tolbooth gates, declaring the Earl of Bothwell, together with several others, guilty of the perpetration of the deed, and impeaching the Queen of a concurrence in their schemes.

But it is with regard to the Queen alone that I shall venture to express my own views here. It might, indeed, open a very wide field for discussion, were we to examine somewhat more minutely than others have done the evidence upon which Bothwell has been condemned for an actual participation in the murder: but, with the most earnest desire to do justice to his memory, I am fain to confess that the evidence is very strong against him, though still far from being by any means convincing. Those

who desire to see the nature of the arguments which may be urged in his behalf, will find in the pages of Goodall an able effort towards his vindication ;<sup>8</sup> but I shall prefer to avoid entering into a question, which, difficult as it is, could afford to us but little profit for its investigation ; and, without committing myself to any particular views on the subject, I shall leave the decision of this intricate point to the judgment of the reader ; though not without premising that we shall be able before long to show that the question of the guilt or innocence of Bothwell is but of little import in the vindication of the Queen.

Bothwell immediately offered to submit himself to a public trial ; and the meeting of Parliament on the 13th of April<sup>9</sup> was at first appointed for the adjudication of the cause. But the Earl of Lennox, the father of Darnley, wrote to Mary on the 26th of February, and besought that some alteration might be made in this arrangement, averring that the time was very long to the meeting of the Parliament ; and that, since the matter was not a Parliament matter, it would be expedient to try it before that period ; and urging the Queen to grant this request.<sup>10</sup> And since the trial was

(8) Goodall, I. 337.

(9) " The Assemblie of the Estates in Parliament was at hand quhilk was to be haldin the XIII of Apryll."—*Buchanan, Det.* 30, apud *Anderson*, II.

(10) " Quhairas I perssaif . . . yat it is zour Majesteis Plesure



appointed for the 12th of April,<sup>11</sup> one day before that which he had denominated too distant, it seems to me that he had but little ground for the complaint of extraordinary haste which has been urged with such vehemence, with regard to this noted trial. But it has frequently been argued that the Queen erred in not complying with his after request, that she would commit into safe custody all those who were named in the tickets affixed to the Tolbooth doors, and that a strict regard for justice would have compelled her to confine all those individuals until their trial was past. Setting aside the fact that, as Mary was not vested with absolute power, the fault, if any there were, could be laid only to the charge of Murray, Morton, and the rest, who then composed her Council, a glance at these tickets will suffice to show the impossibility of pursuing such a course; for, if she had imprisoned one, she would have been

to remit the Tryall of yis lait odious Act to the Tyme of ane Parliament . . . I sall humblie craif zour Majesteis Pardone . . . beseikand zour Majestie maist humblie to accept this my simpill Advise in gude Part, as followis. Quhilk is, That quhair the Tyme is lang to the Parliament, this Mater not being ane Parliament Mater, bot of sic Wecht and Opportunitie, quhilk aucht rather to be with all Expeditioun and Diligence socht out and punischit to the Exempill of the hail World . . . I sall thairfoir maist humbly beseik zour Majestie . . . with Diligence to assemble zour Majesties Nobilitie."—*Lennox*, Feb. 26, 1567, to *Mary*, apud *Anderson*, II. 110.

(11) Records apud *Anderson*, I. 52, and II. 97.

bound in equity to confine all who were named in these anonymous papers, and she herself was one of the calumniated persons. And, in addition to this, the law of no age or country can be called upon to notice the charge of a nameless accuser; and Lennox repeated the imputation not upon his own authority, but simply resting upon the statement of the placard,—the trial of Bothwell resulting only from his own free will and actual offer.

But while these events were in progress, an investigation into the circumstances of the murder had been instituted by the Council, and some occurrences in the course of that inquiry are somewhat worthy of our notice. Some of the servants of the King had escaped from the effects of the explosion, by the intervention of a stone wall between their own apartments and the major part of the building; and one of them, Thomas Nelson, who afterwards bore evidence at the Westminster Conference, was called and examined. After having stated some few unimportant circumstances, he was asked concerning the custody of the keys, and declared “that Bonkle<sup>12</sup> had the key of the sellare, and the Quenis servandis the keyis of hir schalmir. Quhilk the Laird of Tulybarden hering,

(12) The King's Cellarer.

said, hald thair; heir is ane grund. Efter quhilk wourdis spokin, thai left of, and procedit na farther in the Inquisition."<sup>13</sup> But why was the investigation thus suddenly concluded? Dr. Robertson insinuates that some ground of accusation against the Queen was discovered in these statements, and that, for this reason, and out of tenderness for her character, the examination was hastily suspended; but this is obviously impossible, for the Lords of the Council, in a proclamation soon after,<sup>14</sup> Mary herself in a letter the next day,<sup>15</sup> and even Buchanan in his *Detection*,<sup>16</sup> admit that there was a mine beneath the house; and no fact connected with the keys of the Queen's bedroom could have any bearing upon that transaction.

But who was the Laird of Tullibardine? In the statement which Bothwell presented to the King of Denmark, and which bears the strongest marks

(13) Cott. MSS. Calig. C. I. f. 256. Anderson, IV. ii. 168. Goodall, II. 245.

(14) "The house was in ane Instant blawin up in the Air . . . with sic a Force and Vehemencie that of the haill Ludgeing, Walles and uther, thair is nathing left unruinated, and dounng Drosse to the verie Ground stane." *Procl. Ed.* Feb. 12, 1566-7, apud *Anderson*, I. 36. The effects here described could have been produced only by a mine.

(15) "It mon be done be force of Powder and apperis to have been a Myne."—*Mary to Abp. of Glasgow. Mem. Scotch Coll. Paris.* apud *Keith*, Introd. viii.

(16) "Thay had undermynit the Wall and fillit the Hoilis with Gune-Powder."—*Buch. Det.* 70, apud *Anderson*, II.

of authenticity, he is mentioned as one of the leaders of the rebel faction;<sup>17</sup> and Mary herself speaks of him as one of those who were chief in all their counsels and actions;<sup>18</sup> while we know that he joined with some of the insurgents when the Queen was in Lochleven, in endeavouring to persuade her to subscribe to the demission of her crown;<sup>19</sup> and his brother was that James Murray who posted the defamatory placards concerning the Queen and Bothwell, and against whom a proclamation had been issued on that account;<sup>20</sup> so that we are scarcely justified in accusing him of a very tender concern for the reputation of Mary. And to have insinuated that there was cause of suspicion against her in the midst of her own Council, would have exceeded even his daring audacity.

Yet, it may be asked, how could such a suspension benefit the party to which he belonged? And a slight review of facts, which have lain too long unnoticed, may serve to illustrate this curious point, and to fix the guilt of stopping the inquisition upon

(17) Bothwell, apud Strickland's *Letters of Mary*, I. 219.

(18) Goodall, II. 362, compared with Leslie, *Negoc.* 19, apud Anderson, III.

(19) "The Earle Athole, the Lard of Ledingtowne Secretary, and Lard Tullibarne Controwlar, being three of the chiefest of their counsell, \* \* \* sent Robert Melvinge expressly with their messages and tokens."—*Leslie, Negoc.* 19, apud Anderson, III.

(20) Records of Privy Council, apud Anderson, I. 38.

those who were really culpable, and to whom the blame properly appertains.

Although the general voice of the public, and the particular statement of Buchanan in his *Detection*, concurred in attributing the explosion to a mine; yet it seemed to be soon discovered that this did not in the least degree involve the Queen; and another story was substituted, which is confuted as well by its own absurdity as by its inconsistency with facts, and its contradiction of the former statement. For the same Buchanan, in his history,<sup>21</sup> the authors of the assumed confessions of Paris,<sup>22</sup> Hay,<sup>23</sup> and Hepburne,<sup>24</sup> and Murray in his *Diary*,<sup>25</sup> assert that the powder was placed on the floor of the Queen's apartment, on the evening of the murder, and while she was conversing with her husband. But this calumny would have been re-

(21) Buch. Hist. Scot. l. xviii. c. 13.

(22) "Brought powder in pocks and laid it down in the midst of the chamber."—*Paris*, Aug. 9, 1569, apud *Goodall*, I. 142.

(23) "The Pulder mon be laid in the House under the Kingis Chalmer quhaire the Queene suld lye . . . Yan yay tuk all the Polks and carried yame within the said laich House, and temit yame on the Flour in an Heip."—*Hay, Cott. MSS. Calig. C. I.* apud *Anderson*, II. 178, 181.

(24) "And had in the Pouder and tuming it furth of the Polks in ane Bing and Heip upon the Flur—evin directly under the Kingis Bed."—*Hepburn, Cott. MSS. Calig. C. I.* apud *And.* II. 186.

(25) "Quhile Paris hir Chalmer Child hayd resaved in her Chalmer the pulder."—*Murray, Cott. MSS. Calig. B. IX.* f. 247, apud *Anderson*, II. 273.

futed, and set at rest for ever, if the examination of Nelson had been pursued, and his evidence further considered, since the Queen's servants would have been able to show that none had entered it during her absence and before the murder.

But, though the key of the Queen's room had truly nothing to do with the explosion, the key of the cellar had, and this was said to be in the hands of Bonkle. But there was another entrance to it besides the one of which he had the key, and this was a postern door, which passed through the cellar and the town wall, and the key of which was detained by Robert Balfour, the owner of the house, when the rest were delivered to the servants of the Queen.<sup>26</sup> The continuation, then, of this branch of the investigation might have led to the proof of the fact, that Bonkle was elsewhere with the key when the murder was committed, for it is certain that he was not in the house at the time, nor was he ever accused of a participation in it,—the other door with its detained key would have been brought to light, and the owner of the house, Robert Balfour, would justly have become an object of suspicion. And the fact that his relative, Sir James Balfour,

(26) "The Keyis of the Lugeing wes pairtlie standing in the Durris and partlie deliverit to this Deponir be Robert Balfour awnir, all exept the Key of that Dur quhilk passit throuth the Sellare and the comun Wall, quhilk could noht be had."—*Nelson, Cott. MSS. Calig. C. I. f. 256*, apud *Anderson*, IV. ii. 165.

was then high in Murray's faction, would have led the judgment of the Scottish people to those persons on whom the suspicion of all Britain first fell,<sup>27</sup> and thus the guilty band would have stood discovered before the world. But the conspirators were too well united in crime to commit such an act of folly, and they stifled in its birth an investigation which promised to lead to such calamitous results. Yet, at a later period, their malice overcame their prudence, and they fell into one of those snares which happily surround the paths of guilt; for when the conferences were in progress at Westminster, Sir James Balfour had declined in favour, their cunning was forgotten, and, by bringing forward the same Thomas Nelson, and causing him to depose to the detention of the key by Robert Balfour, and the stoppage of the inquisition, they have furnished us with an important clue in our endeavours to tread the tangled maze of their complicated infamy and crime.

On the 12th of April, the appointed day, Bothwell appeared in court, accompanied by a few of his more prominent friends, and submitted himself to trial by the usual forms. But, when his accuser was called upon to come forward, and prefer his

(27) "A rumour was forthwith spread all over Britain, laying the fact and fault upon Morton, Murray, and other Confederates."  
—*Camden*, I. 88.

charge against him, a servant of the Earl of Lennox presented himself, and protested that his master was unable to come in consequence of the shortness of the time; forgetting that he himself had sought its abridgment, and declared that any decision which should be formed in his absence would be the result of wilful error in those who gave the verdict, and not ignorance, "be ressoun that it is notourlie knawin thir persounis to be the murthereris of the King."<sup>28</sup>

But it is impossible to regard this as anything but bluster and bravado, in order to conceal the actual absence of supporting evidence. Since the Earl of Lennox's proofs could not be derived from his own personal knowledge, there can be no reason why the trial should not have proceeded in his absence, as his witnesses might all attend, and his prolocutor could elicit their information quite as well, and perhaps better, than the Earl himself; and the requiring the postponement of the trial on the ground of his personal inability to attend, shows a weakness of cause which militates very much against him. The request was, however, considered; but the judges, upon the perusal of the former letter of Lennox to the Queen, in which he desired that short and summary process might be

(28) Record, apud Anderson, II. 107.



instituted, agreed, with the advice and consent of all the peers assembled, to refuse the petition, and to proceed to instant trial.<sup>29</sup> And no evidence being produced, a verdict of acquittal was of course returned.

In the record of the trial, which is appended to the Detection of Buchanan, it is averred that the Earl of Caithness, the chancellor, who presided, entered a protest against the form of the indictment, in which, as he stated, the date of the murder was made the ninth instead of the tenth of February; and it has been conjectured by some, that this error was introduced in order to secure the acquittal of Bothwell, by leaving a legal loophole for escape;<sup>30</sup> and even Dr. Stuart is inclined to believe that the inaccuracy was the result of design.<sup>31</sup> Yet it is scarcely possible to imagine an error more easy than this, or more probable to occur, in an age when legal and verbal accuracy was not attended to with as much care as it is with us, for the deed was perpetrated at two o'clock on the morning of Monday the 10th of February, and

(29) "In respect of the ernist Insisting of the Advocates desyring Proces and richt Sute of the said Erle Bothwellis earnest Petitioun, and Desyre of Tryall to be had in the said Mater, with Advyse of the Lordiis and Barrounis Assessoris present, fand be Interlocutor, that Proces suld be deducit in the said Actioun this day."—*Record*, apud *Anderson*, II. 108.

(30) Hume, V. 112.

(31) Stuart, I. 207.

to call it the night of the 9th, is certainly no very gross mistake. And we find that it is one which has often been committed, for in the confessions which purport to be those of the murderers themselves, Powrie speaks of "ye sam Day the King wes slane at Night;"<sup>(32)</sup> by which he obviously means Sunday, and he calls Monday morning, "the Morn eftir the Kingis Slauchter;"<sup>(33)</sup> Dalgleish talks of "ye Sunday the King was slayne at Nycht,"<sup>(34)</sup> while even Buchanan, the literary organ of the accusers of the Queen, falls into a similar error; for in the Scotch editions of his *Detection*, before that at St. Andrews in 1572, and in the French version,<sup>(35)</sup> the murder is said to have been committed on the night of the 9th of February: though this fault was corrected in subsequent editions. And that such a protestation was made by the Earl of Caithness, or that the error would in the least degree have vitiated the judgment, I cannot believe, since Captain Blacader was indicted for having participated in the murder on the ninth of February, and was executed upon the charge.<sup>(36)</sup>

The Parliament of Scotland met on the day after the trial, as had been appointed, and one of their first acts was an investigation of that proceeding,

(32) Anderson, II. 165.

(33) Ibid, II. 172.

(34) Ibid, II. 173.

(35) Jebb, I. 349.

(36) Goodall, I. 357.

which, after due consideration and examination, was declared to be just and legal in every point, and the verdict ratified by the assembled lords.<sup>37</sup> And thus this sentence of acquittal received the highest support of the most exalted tribunal in the realm.

But another enactment was agreed to by this parliament, which, if it does not give us reason to suppose that those who took the lead in it contrived and desired the murder of the King, at least shows

(37) Laing denies this; but, as is his wont, gives no authority for his assertion (I. 69.) Against his simple statement we have some good authorities. "The greitest part of the nobilitie had cleinsit him be ane assise, and the samin ratifyit in Parliament." *Mary*, apud *Goodall*, II. 342. "He wes acquite be oure Lawis, and be Sensament of Parliament." *Mary, Instructions to Melvil, And.* I. 106. "His Purgation and Acquittal . . . was afterward confirmed by the Three Estates by Acte of Parliament." *Leslie*, 26, apud *And.* I. "Thay declarit him innocent of that crime be ane publict assise, and clengit him be ane rollement thair of, and the samin was ratifyit agane in Parliament be consent of the thré estatis." *Instructions by 7 Earls, 12 Lords, 8 Bishops, and 8 Abbots, of Scotland to Mary's Commissioners, Sept. 12, 1568*, apud *Goodall*, II. 361. "For the third time I made my excuses before a general assembly of the three estates, comprising the nobility of the country; all the bishops, abbots, and priors, and all the principal inhabitants of the kingdom; by which assembly my whole trial and sentence were read and revised, in order to determine whether my cause had been legally tried or not, and whether any fraudulent proceeding had occurred respecting them. It was then said and declared that the whole had been conducted with rectitude and justice, and according to the law of the country." *Bothwell*, apud *Strickland's Letters of Mary*, I. 235. The general reader may be astonished to see a single unsupported assertion opposed to such a mass of evidence; but the student of Laing must be often prepared to encounter such little effusions of original genius, of which the originality is certainly a very striking feature.

that they were very ready to profit by its effects. Among the powers which appertained to the person of a Scottish monarch, was that of bestowing various portions of the Crown lands upon favourites, or in reward for distinguished services, and these, if not recalled before the sovereign arrived at the age of twenty-five, became firmly vested in the grantee; but since it was very justly surmised that a youthful monarch might be induced to bestow these favours somewhat too liberally, the power of revocation was allowed until the attainment of the stated age. Mary, whose liberality and generous munificence were more distinguished than her prudence and discretion in such matters, had made these grants very extensively, and of course to those parties who ruled her councils, so that—to use the words of Bishop Leslie himself,—“Now had the Earle of Murray and his Faction by one Meanes or other gotten into their Handes and Possession, Two Parts of the yearly Revenewes of the whole Croune.”<sup>38</sup>

But Darnley had a greater share of worldly thrift than his warm-hearted Queen, and he had so far persuaded her to restrain this undue generosity, that, in April 1566, she had revoked nearly all the grants which had been made by herself, or others during her long minority;<sup>39</sup> and Darnley was, un-

(38) Leslie, 74, apud Anderson, I.

(39) “Among other Thinges, it pincheth him and al his Faction,

doubtedly, the cause of this unpalatable step. And one of the first acts of the parliament after his death, was to restore all the grants which had been revoked, to confirm others, and to deprive the Queen and her successors of this power of recal for ever,<sup>40</sup> so that the universal consternation which the murder of the King had caused, did not disturb the equanimity of these worthy men, or prevent them from attending to their own interest amid the general disorder of the state. But some other acts were passed of a very commendable character, among which was one which has been denominated an act of indemnity to the murderers, but which appears to me a very wholesome law, in which provision was made for the severe punishment of the anonymous posters of defamatory placards,<sup>41</sup> a mode of slander from which none can be safe, and which is the most despicable vehicle for the malignity of man.

Emboldened by his late triumph, and elated by the favour and distinction which his long and

and greeveth them to the very Hart to remember the Revocation the Queene had made the April before of al such Thinges as apperteine to the Croune that had by herself, or others in her Minoritie, ben alienated."—*Leslie*, 73, apud *Anderson*, I.

(40) Keith, 378. Act Parl. ii. 547. Lingard, VII. 369. A notable instance of the injustice of Mary's foes may be seen in the conduct of Anderson, who published the Confirmation to Bothwell, I. 117, and omitted all the rest.

(41) It is to be found in *Anderson*, I. 126.

faithful services had secured to him at the hands of the Queen, Bothwell began to raise his ambitious hopes even higher than they had yet dared to aspire, and looked upon the throne of his Sovereign as a dignity to which he might perhaps attain. The sudden mutations of fortune which were so common in that age, the frequent victories of physical force over the ordinary forms of social life, and the preeminence which bravery and martial distinction obtained for their possessor in a warlike nation, all tended to make this extreme flight of his ambition less remarkable than it would be at our own day; and the position which he enjoyed by birth, as hereditary admiral of Scotland,<sup>42</sup> the rank of lieutenant of the Scottish Marches, to which he had been elevated for his valour by the Queen Regent, and his extreme wealth,<sup>43</sup> led him to hope the more ardently for the ultimate success of his design.

To endeavour, however, to carry into execution a scheme so bold as this without first securing the support and assistance of the nobility, would have

(42) "James Erle Bothwell, Lord Halis, Creightoun, and Liddesdaile, Great Admirall of Scotland, and Lieuetennent to our Soverane Lady over all the Marches thereof."—*Bond of the Scottish Nobles*, Anderson, I. 107.

(43) "The greatest landlord of this country."—*Paris*, apud Goodall, I. 139.

been equivalent to ensuring a complete and signal failure, and he "went about be practising with ye Nobillmen secreitlie to make yame his Friendis, and to procure yair Consent to ye Furtherance of his Intentis"<sup>44</sup>—a course of conduct which sufficiently shows that he was by no means willing to rely entirely upon that affection of the Queen which is said by some to have been at this time so deep towards him. There is much reason to suppose that some required but little persuasion, and that they gave their assent with a view to the ulterior use which might be made of this marriage against the Queen; but there were some of Mary's warm friends who were also consenting parties, and to these it is likely that Bothwell represented that the Queen wished that such a marriage should take place. Mary herself tells us that he procured their consent, "geving yame to understand yat we wer content yairwith,"<sup>45</sup> and this fact she may have learnt from the lords Boyd and Herys, two of the signers, who afterwards acted as her commissioners at the English Court.

The most ready mode of securing the support of the Lords in a form which could be made visible to the Queen, seemed to be by a bond, and such a document was projected at a somewhat early

(44) Mary, apud Anderson, I. 94.

(45) Ibid.

period, since it was signed by the Earl of Murray, who left Scotland on the 9th of April,<sup>46</sup> ten days before the completion of this celebrated instrument.

That Murray really did sign this bond has been so greatly disputed by those writers who sympathize with his character, that I should be guilty of an unpardonable omission were I to neglect to mention the reasons which induce me to dissent from the views which they entertain. Nothing can be clearer or less capable of misinterpretation than the evidence on this important point; and no witness could have enjoyed better opportunities of learning the actual facts than the man upon whose testimony my opinion rests. When the Earl of Murray and his accomplices had given in, at the Conferences at Westminster, their various papers against the Queen, the bond had not been included among them, and Cecil sent to require a copy, and one was accordingly sent to him by the hands of John Read, the amanuensis of Buchanan, who then acted as Keeper of the Papers; by him the transcript had been made,<sup>47</sup> and the original had,

(46) "1567, April 9. My Lord Regent departed furth of Scotland."—*Murray's Diary*, *Cott. MSS. Calig. B. IX. f. 247*, apud *Anderson*, II. 274. *Act of Oblivion*, *Anderson*, I. 123.

(47) "The names of such of the nobility as subscribed the Bond, as far as John Read might remember, of whom I had this Copy, being in his own hand."—*Cecil*, *Cott. MSS. Calig. C. I. f. 1*. apud *Anderson*, I. 112.



consequently, been in his hands but a short time before he was ushered into Cecil's presence. Yet the subscriptions were wanting, for Murray was too cunning thus to betray his duplicity, and expose his perfidy to the minister of the English Queen. He, however, was not to be baffled in his search, and, fearing to send again to the Earl lest he should be deceived, he detained the amanuensis, and, causing him to recal to his memory the names of the signers, transcribed them from his own lips. That this man, who had seen the original so recently, should mention any names which were not there, although he might omit some, is difficult to believe; but this difficulty becomes an absolute impossibility when it relates to the highest man in the nation—the then Regent, and the head of the Scotch Commissioners. And the first name which John Read could call to mind was that of the Earl of Murray. Evidence so direct and positive as this, and coming from an authority so high, must set the question at rest for ever, and proves, beyond a doubt, that Murray was really a signer of the bond to Bothwell.

On the evening of the 19th of April, that nobleman invited the great majority of the Lords who had been present in Parliament to a supper; and there, when the fumes of the wine had in some degree obscured their reason, he produced

his bond, and desired their subscriptions to it. The men of Murray's faction saw their leader's name, and signed without hesitation; and the friends of Mary were induced to add their names, persuaded by him that its purport was agreeable to herself; and thus almost all parties seemed quietly to concur in assenting to this dishonourable alliance. But one nobleman could not be induced, by high example or eloquent persuasion, to consent; for, to use the words of John Read himself,—and they show the excellence of his memory—"Eglintoun subscribed not, but slipped away."<sup>48</sup>

But when some time had elapsed, and it became advisable to screen from observation Murray's share in this transaction, the ingenuity of the rebel subscribers was racked to find some other pretext for their conduct than the real one of following in the path which he had first marked out. Their cold imaginations at first suggested the excuse of personal force; and it was declared, with becoming gravity, that a band of soldiers, posted around the door, had compelled the flower of the Scottish nobility to sign against their will. But this tale, while it might deceive the unthinking and credulous people, would not have passed current with the English Commissioners; and the next device was a

(48) Anderson, I. 112.

warrant, which they asserted had been shown to them under the hand of the Queen, in which she commanded them to concur in this desired measure. Why this circuitous course was adopted by Mary, they have not condescended to explain; nor have they shown to us by what means they, who had been all their lives rebels against the sovereign authority, were thus suddenly awed into obedience by the sight of the signature of their monarch. But it is sufficient for us to know that their warrant was too precious to be allowed to emerge into the light of day; for, although it was shown in private to the Commissioners at York,<sup>49</sup> it was suppressed at Westminster, and the accusers thus voluntarily disarmed themselves of the strong argument of the Queen's concurrence in the marriage, and allowed her, uncontradicted, to assert that the voluntary recommendation of the greater part of the nobility had induced her to look with greater favour on the solicitation of Bothwell. And very prudent and sagacious was the policy which dictated this hasty withdrawal; for while the forgery of their assumed

(49) " And yet, in proufe that they did it not willinglie, they procured a warrant, which was now showed unto us, bearing date the 19th of Aprill, signed with the Quene's hand, whereby she gave them license to agree to the same. In private and secret Conference with us, not as Commyssioners as they protested."—*Elizabeth's Compias. to Elizabeth, from York*, Oct. 11, 1568. *Cott. MSS. Calig. C. I. f. 198*, apud *Anderson*, IV. ii. 59. *Goodall*, II. 140.

letters could be detected only by Bothwell, who was then a prisoner in Denmark, and by the Queen, whom they and their good friend, Elizabeth, contrived to keep two hundred miles from the tribunal before which they were produced, the falsity of this paper would have been at once manifest to the whole Scottish nobility, and could have been proved beyond a doubt by the Lords Boyd and Herry, two Commissioners of Mary, who had signed the bond. But the crowning stone is added to the proof of this forgery by a genuine paper, in which the Queen, about a month after its signature, promised never to attribute it as a crime to any of them that might have taken part in it, and avouched, on the honour of a princess, that the fact should be no stain on the honour of themselves or their posterity.<sup>50</sup> How far they would have asked for, or she would have granted, such a remission, if the bond had been signed under her written and express command, is a question to which the utmost ingenuity of her adversaries will be unable to afford a fitting or satisfactory reply.

But what was the purport of this celebrated bond? The writers—after rehearsing the facts which we have already detailed, that the Earl of

(50) Appendix F.

Bothwell, having been openly calumniated as guilty of the death of the late King, as well by placards over the city as by the letters of the Earl of Lennox, had been tried and found innocent by the noblemen, his peers, appointed to conduct the inquest; —declare that the nobleness of his lineage, the magnitude of his services, and their own friendship towards him in all times past, together with that common bond of interest which unites all noblemen together, as equally subject to the calumnies of their enemies, and the vain bruits of the common people, induce them to come forward and avouch his perfect innocence, and to promise upon their faith and honour, and truth in their bodies as they are noblemen, and as they shall answer to God, to defend him in all time to come against all, whosoever they may be, who shall utter slander against his name; and, moreover, considering that the Queen was without a husband, and that none could be found so fitting for that dignity as himself, they promise to sustain him in his endeavours to perfect such a marriage, and to render him all assistance against any who shall endeavour to oppose or to prevent it. And, should they violate this solemn promise, they call down upon their own heads the vengeance of posterity, and beseech that they may “nevir have Reputatioun or Credite in na Tyme

heireftir but be accounted unworthie and faithles Traytors."<sup>51</sup>

The annals of history are filled with many sad and melancholy instances of human treachery and human crime, and our own nation has not been free from such blots upon its brilliant scutcheon; but, when we see the same men who have thus, under the most solemn obligations which can bind the mind of man, dedicated their lives, their fortunes, and their honour, to the support and defence of a single man, and the furtherance of his marriage with their Queen, declaring a few short months afterwards that he was undoubtedly guilty of the perpetration of the crime, from the imputation of which they there declared him free, and averring that their sovereign "by hir unguddie and dishonorable proceeding in a priveit mariage with him soddenlie and unprovisitlie,"<sup>52</sup> was proved beyond a doubt to have participated in that crime, the whole dark array of human guilt seems brightened by the contrast, and the vile act of perfidy stands forth the blackest in the annals of our race. Bright, indeed, was the spirit of prophecy which illuminated their minds when they penned those last words of their sacred bond; when they declared that if they violated that pledge, they should "nevir have

(51) Appendix F.

(52) Act of Secret Council, apud Goodall, II. 64.

Reputatioun or Credite in na Tyme heireftir, but be accounted unworthie and faithles Traytors." Their own lips have pronounced the verdict on their fame, and posterity shall confirm the awful sentence for the profit and edification of an admiring world.

Hitherto nothing could be more deferential and submissive than the demeanour of Bothwell towards the Queen, and his conduct gave no reason to suppose that any thoughts other than of loyalty and duty were harboured within his breast. He was constant and unremitting in his attention upon her; but this she ascribed, as we learn from her own narration,<sup>53</sup> to the excess of loyalty and duty; and so unsuspecting was she of danger, that when Lord Herry, one of her firmest and truest friends, communicated to her a rumour which had spread abroad that a marriage was to take place between them, she expressed her extreme astonishment at such a report, since no such purpose had ever entered into her mind;<sup>54</sup> and the idea that Bothwell might be incited by his ambition to attempt the completion of such a scheme, seems never to have suggested itself to her imagination: though this was but natural, since his previous services gave not the slightest ground to suspect him of meditating so large a dereliction from his duty.

(53) Mary to the Bishop of Dumblane, apud Anderson, I. 93, 102, and Appendix G.

(54) Melvil, 78.

No sooner, however, had he obtained the bond, and assured himself of the support of the nobility, than he began to cast off the mask, and to develope more largely his aspiring schemes. He did not at first exhibit to her the writing of the nobles, for this was to be kept for the last cast, but he discovered his intention to Mary, and endeavoured to gain her consent to the alliance which he desired; and he received a refusal,<sup>55</sup> which at once convinced him of the utter impossibility of persuading her to a compliance with his designs.

What course could he then pursue? To show her the bond, which was then in his hands, would have been useless, when her own disinclination was so apparent; and, if he halted now after such a step, his favour at Court would have been gone for ever, and his extraordinary presumption would have condemned him to obscurity and contempt. And to await the result of time would have been almost as dangerous, since his many enemies might have placed a thousand obstacles in his path; and the men whose alliance he had obtained under false pretences would see that they had been deceived, and revoke, indignantly, their consent; while the temper of the Queen, and the decisiveness of the answer which he had received, gave him but little

(55) "Finding oure Answeres nathing correspondent to his Desire."—*Mary* apud *Anderson*, I. 94. Appendix G.



reason to hope that any lapse of time would render her heart more favourable towards him ; and all these reasons united to deprecate delay as a source of certain ruin. The overpowering force of love had already swept away his long-tried loyalty ; his ambition lent its powerful aid, and both combined with the one false step of which he had been guilty, to urge him onward in his blind career. Placing himself at the head of a thousand horse, he waylaid the Queen on her way from Stirling, and carried her prisoner to Dunbar Castle.

But did Mary consent to and actually contrive this seizure, and was it executed in collusion with herself ? The very idea is full of absurdity the most palpable, and every circumstance concurs to point it out an idle dream of her unscrupulous foes. Upon the supposition that she wished to marry him, such a show of force was obviously unnecessary, after the declaration of the whole nobility had been given in his behalf ; and, if we trace the tale to its sources, we shall find that it is based on one of those letters from Mary to Bothwell, the forgery of which is beyond a doubt, and which will be treated of in their proper place, and the statement made by one of Bothwell's officers to Melvil,<sup>56</sup> in order to quiet him and obviate the resis-

(56) " Captain Blachater who had taken me alleged that it was with the Queen's own consent."—*Melvil*, 80. •

tance which he would otherwise have made,—two very fitting authorities for such an assertion. The very fact that she made little resistance, will, if properly considered, show how absurd is the supposition of a collusion; for, while supposing the seizure to have been real, it would have been only prudent in Mary to avoid hazarding a struggle, when her own small retinue was to be opposed to the train of 1,000 horsemen which followed the Earl, a desire to prevent the suspicion of consent would have prompted the most violent show of resistance as the best means of obviating in the strongest manner any after-charge of collusion in the capture. And the rebels themselves, from May, 1567, until the December of the same year, join in asserting the seizure to have been a real one; and this is made one of the grand charges against Bothwell, in those proclamations against him which the curious reader will find in the first volume of James Anderson's Collections, and in which it is repeatedly and emphatically averred that he had treasonably captured her Highness's own person.<sup>57</sup> And thus, from the

(57) "The Ravishing and Detentioune of the Quenis Majesteis Persoune." (June 11, 1567). *And*, I. 130. "James Erle Bothwell put violent Handes on our Soveraine Ladies maist nobill persoune." (June 12, 1567). *Ibid*, I. 131. "He ambesett hir Majestie and tucke and ravishit hir maist nobill Person." (June 16, 1567). *Ibid*, I. 136. "Hir Hienes awin Persoun tressonabilie ravischit." (June 26, 1567). *Ibid*, I. 139. "Efter he had alsua tresonabilie

very lips of her foes, do we draw the refutation of this odious calumny against the Scottish Queen.

Once in his power, and the ultimate attainment of his object secured, Bothwell yet endeavoured to gain the heart of Mary by his persuasions, rather than compel her compliance by his force. Answering to her bitter reproaches with mild and gentle tones, and protesting all loyalty and obedience to her, he sued for her forgiveness of that boldness to which he had been driven by the unconquerable force of love, the vehemence of which had caused him to forget his duty as a subject, and the natural regard for his own security. He detailed to her the actions of his long and eventful life, and dwelt with peculiar emphasis on the great and important services which he had rendered to the state, as well in her mother's reign as in her own; and he endeavoured, by the narration of these, to move her to look upon his suit with favour. He averred that, glorious as had been his career, and manifold the honours which had been bestowed upon him, he had yet never found a true and honest friend in whom his heart could repose, and whose fidelity and constancy he could ever trust; that the men against whom he had never raised a hand, and whose peace he had never attempted to disturb,

revesit hir Majesties maist nobill Persoun," (July 21, 1567). *And.* I. 142.

had showed themselves his mortal foes ; that their malice had assailed him on many occasions of his life, and that now they had crowned the fabric of their calumnies by accusing him of the slaughter of the King, a deed which his soul abhorred, and the very mention of which filled him with horror. He concluded this appeal to the sympathy of Mary by declaring, that her favour was the only ray of joy now left to him in the world ; but as from the treachery of his pretended friends, and the cunning of his foes, who cloked their malice under the garb of amity, he knew not how long it might be ere the secret slanders of these might deprive him of this, his only solace, he had desired to secure it to himself for ever. And he prayed her to accept him as her husband, averring constantly that he sought no share of the sovereign power, but would be willing to remain still in the position of a subject, blessed with the affection of his beloved Queen.<sup>58</sup>

Nothing could have been better judged than such an appeal as this ; nothing more likely to secure to him the attainment of his wishes. The tender and compassionate heart of Mary was but too likely to grant to his pathetic lamentations that which she refused to his most earnest prayers ; and she who had before forgiven those who had perpetrated

(58) Mary apud Anderson, I. 95. Appendix H.

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against her the most enormous crimes, would easily be induced to overlook the boldness and presumption of his act, and to extenuate his conduct by a consideration of the motives by which it had been prompted. But in this case she did not do so. The esteem with which she regarded the services of Bothwell had ever been far removed from love; but his late seizure of her person, by wounding her feelings and outraging her dignity, had almost removed her former regard; and she still continued her stern refusal. Then, and not till then, did he produce the instrument which he had procured, and exhibit to his captive the document which overturned all her fond hopes of succour from her nobles, and convinced her that she was indeed a prey in the hands of an all powerful faction.

Great was the astonishment of Mary when this astounding circumstance was fully revealed to her; but her surprise was scarcely greater than the change which immediately and necessarily took place in the character of her reflections; and her own words shall describe the thoughts which arose rapidly in her agitated mind.

"Seeing myself," she says, in her relation of these events, "in his power, sequestered from the company of all our servants and others whom we might ask counsel; yea, seeing those upon whose counsel and fidelity we had before depended, whose force

ought to and must maintain our authority, without whom, in a manner, we are nothing, for what is a prince without a people? beforehand already yielded to his appetite, and so we, left alone as it were a prey to him, many things we revolved with ourself, but never could find an outgait. And yet gave he us little space to meditate with ourself, ever pressing us with continual and importunate suit.

“ In the end, when we saw no hope to be rid of him, never man in Scotland once making a mind to procure our deliverance,—for that it might appear by their handwritings and silence at that time, that he had won them all, we were compelled to mitigate our displeasure, and begin to think upon that he proposed; and then were content to lay before our eyes the service he had done in times past, the offer of his continuance hereafter; how unwilling our people are to receive a stranger, unacquainted with their laws and customs; that they would not suffer us long to remain unmarried; that this realm, being divided in factions as it is, cannot be held in order unless our authority be assisted and furthered by the fortification of a man who must take pains upon his person in the execution of justice, and suppressing of their insolence that would rebel, the labour whereof we may no longer sustain in our own person, being already wearied, and almost broken with the frequent uproars and rebellions

raised against us; \* \* \* and seeing force would compel us in the end, for preservation of our own estate, to incline to some marriage, and that the humour of our people would not well digest a foreign husband, and that of our own subjects there was none, either for the reputation of his house, or for the worthiness of himself, as well in wisdom, valour, and all other good qualities, to be preferred or yet compared, to him whom we have taken, we were content to accommodate ourselves, with the consent of our whole estates, who, as is before said, have already declared their contentment."<sup>59</sup>

Such were the thoughts which pressed upon the mind of the Scottish Queen; and none can read her very spirited narration without feeling that her resolution was unavoidable, and that she could have decided on no other course than that of seeming to consent to his wishes, and accept his hand, in the peculiar circumstances in which she was placed. And this letter, which was penned by her to her envoy in France, in the very month of her marriage, and the great importance and very slight publicity of which has induced me to include it in the Appendix,<sup>60</sup> sufficiently shows the general tone of her mind with regard to her marriage, and her feelings

(59) Mary, apud Anderson, I. 97—99. The orthography is modernized here, but the original is in Appendix G.

(60) Appendix G.

towards the Earl himself. Throughout the whole of that epistle there is an ardent desire to palliate as much as possible his faults, a desire which was only natural since he was then her husband ; but her real sentiments often peep forth ; her just indignation cannot be entirely repressed ; and the entire language of the letter, as well as the facts which it details, proves that she could not have entertained for Bothwell that affection which is ascribed to her by her foes. His anxiety to procure the bond of the nobles, and his resort to a forcible seizure, show that he thought that this was the case ; and her demeanour towards him completes the démonstration, and places the fact beyond dispute.

It may be remarked, with surprise, that I have averred that Mary intended to give a seeming consent, yet the expression has not been hastily or inconsiderately employed ; for it is by no means improbable that this promise was but intended to lull the suspicion of Bothwell, in order to procure her liberation from the thralldom in which he held her. On the occasion of the murder of Riccio we have seen her making use of a similar deception, in some degree excusable in such a case, to quiet her keepers and induce them to withdraw the guards ; and it seems very reasonable to suppose, that a similar motive incited her conduct now.

But Bothwell had too much of the timid fearfulness of guilt to suffer himself to be subjected to the risk of a disappointment which would not only defeat his hopes, but expose him to certain ruin. Vainly did Mary appeal to his generosity; vainly did she urge the delaying of the consummation of the marriage until she could consult her uncles in France, and procure their approval of her conduct; he was deaf to all her prayers, and, to use her own expressive words, "as by a bravado in the beginning he had won the first point, so ceased he never until, by persuasions and importunate suit, *accompanied not the less with force*, he has finally driven us to end the work begun."<sup>61</sup> He crowned his insults to his sovereign by the forcible violation of her person; and thus rendered the marriage which he desired absolutely indispensable for the preservation of her honour.

Scarcely a fact in the history of Mary stands upon evidence more clear and indisputable than this: not one is of more vital importance to a correct understanding of her conduct, and yet it would be very difficult to point to one which is less generally known and understood. Her enemies, ever ready to torture facts to her discredit, or to conceal those which tended to her vindication, have

(61) Mary, apud Anderson, I. 99; Appendix G.

gladly plunged into obscurity this important circumstance of her career ; her advocates, bowing to the scrupulous delicacy of a somewhat fastidious public, have, as it were, by common consent, with the exception of Whitaker and Dr. Lingard, avoided the perilous ground, and attempted to account for her conduct with regard to the marriage by other reasons, many of which, by their weakness, have exposed their cause to great and serious danger : and thus all parties seem to have combined to conceal this fact from the public, and hide it in mystified language, and dark and obscure narration. But it is time that the interests of historical truth should be allowed to rise paramount to the scruples of the over fastidious, and that this important fact should be exposed to the full blaze of day.

Taking into consideration the concurrent circumstances, it would scarcely be imposing too heavy a tax on the credulity of the reader to require him to believe the fact asserted on the sole authority of Mary herself. The previous designs of Bothwell, his machinations among the nobles, his forcible seizure of the Queen, his boast recorded by one who heard it uttered, "that he would marry the Queen, who would or who would not, yea, whether she would or no,"<sup>62</sup> and the after conduct of Mary,



otherwise unaccountable, in consenting to a marriage which she had before refused, all tend to give a great air of probability to her assertion, and claim for it our strongest belief. But it is not unsupported by testimonies, the nature and character of which place them beyond dispute.

Her own rebels—the very men who afterwards impeached her of a participation in the murder of her husband—come forward here and lend us their strongest aid in this branch of our investigation. If we glance at the various proclamations which were issued by them after the period of the seizure, and even as late as the 20th of December 1567, in denunciation of the Earl of Bothwell, we shall find it difficult to select our proofs of the universal belief in the position which it is desired to sustain, so abundantly do they pervade the pages of the records, and so fully do these documents demonstrate the accuracy of the statement of the Queen. On the 11th of June, the Lords of the Privy Council declare that all who shall impede the execution of justice upon Bothwell and his associates, shall be esteemed as accomplices both in the murder and in “the *Ravishing* \* \* of the Quenis Majesties persoune;”<sup>63</sup> on the 16th, they denounce the Earl as “the *Ravisher* of the Quenes Majestie;”<sup>64</sup> and aver

(63) Apud Anderson, I. 130.

(64) Ibid, I. 137.

that he “*twike* and *ravishit* hir maist nobill persoun;”<sup>65</sup> while on the 26th, they declare that their sovereign’s person had been “*tressonabillie ravischit*”<sup>66</sup> by him. And in other passages they are even more explicit, although a regard for the honour of the Queen and the credit of her son fettered their language, and induced them to avoid too open a declaration of the fact; for, on the 12th of June, they accuse him of “*ravishing*, warding, and *seduceing* of the Quenis Majestie to ane unlauchful mariage,”<sup>67</sup> and declare that he “*seducit* be *unleisume wayes* our said soverane to ane dishonest mariage with himself.”<sup>68</sup> And in their act of attainder against Bothwell, on the 20th December, 1567, every step of his crime is marked with an accuracy and precision which prevents the slightest chance of error, for he and his accomplices are attainted “*pro eorum proditoriâ interceptione nobilissimæ personæ matris nostræ Mariæ, Scotorum Reginae, in viâ suâ;—ac proditoriâ et violentâ incarceratione nobilissimæ personæ dictæ charissimæ matris nostræ in castro de Dunbar; et detentione ejusdem in dicto castro ad spatium duodecim dierum, sic nefandum crimen raptus in nobilissimam personam*

(65) Apud Anderson, I. 136. Some have supposed that the ravishing and the capture are identical; but here we have the distinction very plainly made.

(66) Ibid, I. 139.

(67) Ibid, I. 132.

(68) Ibid, I. 131.

ipsius committendo.”<sup>69</sup> Here they distinguish with scrupulous accuracy between each portion of his crime; and their own opinion, expressed to the English envoy, privately, comes in to crown the whole, and to illustrate and explain every dubious expression in the preceding extracts; for in the memorial of the rebels to Throckmorton, they declare that Mary had been compelled “by fear, force, and, as by many conjectures may be well suspected, *other extraordinary and mair unlauchful meanys* to become bed fellow to another wyves husband.”<sup>70</sup> And no words can be more incapable of misconception than these from the pens of her persecutors and foes.

But had Mary no fellow-prisoner who has handed down to us a record of the real conduct of her captors towards her? Happily for her fair fame she had, and that in the person of Sir James Melvil, whose Memoirs of her reign, though far from perfect, bear in many parts very strong marks of impartiality and truth; though they doubtless contain a vast abundance of tales, both improbable and untrue, and requiring much caution in the perusal. And he, restrained by none of those political considerations which gave ambiguity to the language of the legislators, has communicated to us his testimony

(69) In the Black Acts.

(70) Apud Keith, 410. Stevenson, 233.

with an abruptness very favourable to the cause of truth, though, perhaps, somewhat startling to the taste of the present day ; for he tells us, most explicitly, that “ the Queen could not but marry him, seeing that he had ravished her, and lain with her against her will.”<sup>71</sup> And his evidence, valuable in the highest degree, because he was in the confidence of Mary, and was actually with her at that time, completes the demonstration of this important fact, and places its actual occurrence beyond the reach of doubt.

Thus, then, by the direct testimony of her fellow-prisoner, the somewhat veiled public, and very clear private, declaration of her lords,—and last, not least, the positive assertion of the Queen, it is distinctly proved that a forcible violation of her person took place at Dunbar Castle ; and, by the establishment of this fact, the letters and contracts which were produced by her accusers at London, and which are designed to prove a long course of previous adultery, and all the elaborate arguments which have been based on her asserted affection for Bothwell, vanish into thin air,

“ And, like an insubstantial pageant faded,  
Leave not a rack behind.”

The innocence of the Scottish Queen of all

(71) Melvil, 80.

collusion in her capture, is placed on a firm and enduring base; and her innocence and purity shine forth the more brightly when contrasted with the villainy of those who so long and so wilfully maligned her, and the black perfidy and ingratitude of him whom she had trusted above all others<sup>72</sup>—whom she had regarded as the most zealous and faithful of all her subjects.

Even after this flagrant insult to his sovereign, Bothwell does not seem to have felt secure of the attainment of her hand, and every means was taken by him to preclude the possibility of a defeat. About six months before this he had married Lady Jane Gordon, a sister of the Earl of Huntly;<sup>73</sup> but they were within the prohibited degrees of consanguinity, and their union was consequently a void one, no dispensation having been procured; and, in addition to this, the Earl had been unfaithful to her bed. On the latter ground a suit had been instituted against him by Lady Bothwell, and the first proceedings in it were taken on the 5th of April. And I must be pardoned if I indulge in a momentary digression on this point, in order to expose one of those many falsehoods which have been put forward against Mary by her foes, and which, passing current among those unacquainted with

(72) Mary, apud Anderson, I. 95. Appendix G.

(73) Melvil, 78.

the records of the age, have injured her reputation in an incalculable degree; the more so, because, from their trifling character, their inaccuracy is scarcely likely to be detected by any but those who devote themselves to the investigation of the subject. Sir James Mackintosh, in his *History of England*, says, in relation to the point,—“The proceeding for a divorce on account of adultery, formally at the instance of Lady Bothwell, was, with singular immodesty, commenced almost on *the day which the Queen specified as that on which she alleged she had been violated by Bothwell.*”<sup>(74)</sup> A statement so bold and confident as this carries the reader with it, and when strengthened by the authority of a great name, is received without a moment’s hesitation or doubt. Yet the only place in which the Queen mentions the rape at all, if we except a distant allusion to it in her instruction to her ambassador in England,<sup>(75)</sup> is in the letter to the Bishop of Dumblane, to which I have before alluded, and which is printed in the Appendix to the present work;<sup>(76)</sup> and in this no date whatever is specified, and no clue given as to

(74) Mackintosh’s *Hist. of Eng.* III. 91, in Lardner’s *Cabinet Cyclopædia*, No. 37.

(75) “Verie wechtie and sufficient Causis tending to oure greit Weill and Suirtie, quhilk are weill knawin to oure selfe, constrenit us to mak sic Haist as we have done.”—*Mary to Melvil*, apud *Anderson*, I. 105.

(76) Appendix G.

the period of her imprisonment at which the offence was committed. And even if she had—if we had learnt from her own statement the day, the hour, the minute, nay the very second, at which the violation took place, the fact would still stand recorded by her accusers themselves, in their journal of proceedings," that the suit was begun by the signing of a procuratory by Lady Bothwell nineteen days before the person of Mary was seized by the Earl, and fourteen days before the celebrated bond—of which we have before spoken—received the subscription of the Scottish nobles; while the bond itself gives us an intimation that a suit was in progress, by stating that the marriage shall be solemnized "so soon as the laws shall leave it to be done;" and thus is this assertion, fortified as it is by a high name, shown to be one of those baseless calumnies against Mary which vanish at the first touch of the magic wand of truth, and the number and minuteness of which alone retard their complete and triumphant refutation.

Some little time after this, and subsequent, as it would seem, though this is not certain, to the

(77) "1567, April 5. The second Contract of Mariage *per verba de presenti* was maid and wryttin be my Lord of Huntly, quho for his restoring againe the forfaltour had purchased an Procuratorye subscrivit with his Sister's Hand then wyif to Bothwell."—*Murray's Diary*, *Cott. MSS. Cal. B. IX. fol. 247*, apud *Anderson*, II. 274.

seizure, Bothwell commenced a suit for divorce on the ground of consanguinity, his own being brought before the Romish, and his wife's before the Presbyterian, court. The proof in both cases was easy, and the proceedings were therefore short, sentence being given for the divorce in the one court on the third, and in the other on the seventh, of May.<sup>78</sup>

In the meantime the Queen was continually surrounded by armed men. She was never suffered to move abroad except when environed with a band of two hundred soldiers, and none could approach her presence unless by passing through this formidable troop.<sup>79</sup> When she was at length permitted by Bothwell to proceed from Dunbar to Edinburgh, it was not to her palace of Holyrood-house that she was allowed to pass; but the Castle of Edinburgh received her; and she was not permitted to leave it for a more commodious residence, until, on the 12th of May, she was accompanied by the Earl to the Tolbooth, and there, before the assembled nobles, had declared her forgiveness of the injury which he had inflicted by the capture of her person, and

(78) Robertson, App. Vol. I. No. XX.

(79) "Na Nobilman nor uther durst resort to her Majestie to speke with hir to procure their lauchfull Business, without suspicion, but be him and in his audience, hir Chalmer Duris being continuallie watchit with men of Weir."—*Bond of Association against Bothwell*, June 16, 1567, apud *Anderson*, I. 136. *Keith*, 418, and Preface, xi.



stated herself to be in a condition of perfect freedom. This was the only pardon which was ever granted to Bothwell, and it has been preserved to us at the present day;<sup>80</sup> but that clause in it, on which Mr. Hume bases an argument against her, of pardon for all other crimes, by which he insinuates that the murder of the King was intended,<sup>81</sup> and which Mr. Laing also asserts to be there,<sup>82</sup> does not exist; while, on the other hand, we learn from it the most important fact, that so general was the impression in Scotland—not, as Mr. Hume boldly asserts it to have been, that the seizure was a feigned one—but that it was real, that the functions of the courts of justice were suspended in consequence, until she had declared herself again at liberty. The fairness and candour of the historians who thus invent the facts which are needed to support their theories, and pervert others to support their views, require not a word of comment.

Two days after this, a contract of marriage was signed by Mary and Bothwell, which now exists

(80) Appendix H.

(81) "In this deed Bothwell received a pardon for the violence committed on the Queen's person; and for all other Crimes; a clause by which the murder of the King was indirectly pardoned."—*Hume*, V. 114.

(82) "Another object of the seizure was now discovered, that, under the pretext of having detained her person, he should receive a pardon for treason and all other crimes whatsoever, in which the murder of the King was virtually contained."—*Laing*, I. 91.

among the Royal archives;<sup>83</sup> and on the succeeding day, the 15th of May, they were married, according to the forms of both churches, by Adam Bothwell, Bishop of Orkney, and a Catholic priest whose name has not been recorded. An attempt has been made by some writers to show that they were united only according to the Protestant ceremonial, and a very warm controversy has arisen upon the point. But the journal of Murray,<sup>84</sup> and a proclamation of the Lords of the Council,<sup>85</sup> both concur in stating it to have been double; and the only authority which seems in the slightest degree to oppose this, is the statement of the Queen, in which she says, that the conduct of the Earl was rather modelled to please the Rebels, "than regarding our contentment, or yet weighing what was convenient for us that have been nourished in our own religion." Yet this very probably refers to the being compelled to submit to the Protestant ritual at all, and does not seem to me to be in the least degree inconsistent with the entry in Murray's journal, that "Thay

(83) See it in Goodall, II. 57.

(84) "1567, May 15. Thay were publicklie mareit after bath the Sortis of the Kyrkis—reformed and unreformed."—*Murray's Diary*, Cott. MSS. Cal. B. IX. f. 247. *Anderson*, II. 276.

(85) "The same unlauchfull Mariage suddenlie thairafter accomplishit on baith the fashionis."—*Bond of Association against Bothwell*, June 16, 1567, *Anderson*, I. 136.

wer publicklye mareit after bath the Sortis of the Kirkis, reformed and unreformed." These facts—the guard of armed men, the continual watch, the perpetual duress until she had declared her pardon to Bothwell, and the final compelled submission to a ritual which she regarded as a profanation of a Sacrament of the Church—need not a word of comment. Every circumstance speaks compulsion, and stamps the marriage as the triumph of brutal force over a helpless and unprotected woman.

How melancholy, how deeply and inexpressibly pitiable, was the position of Mary during this rapid and startling course of events, the singularity and swift succession of which gives the narration an air rather of fiction than of a historic record! Her dignity insulted, her prayers and entreaties scorned and neglected, and her person subjected to the most cruel of wrongs, she was yet compelled, from a regard to her honour, and to preserve the fair fame of her child, to marry the man who had committed so vile an outrage, and, stifling up those feelings of deep and bitter indignation which his brutal conduct must have excited within her breast, to raise her ravisher to the highest dignity of the realm. And, as if to fill even to overflowing her cup of woe, her own friends among the nobility had been induced by him to believe that she desired the marriage with him, while she could not remove

from their minds the delusion without making to them a full revelation of the shame in which she had been involved. But the die was cast, and all the agony of her bursting heart was insufficient to avert her dreaded doom. They were married; but, even as the fatal words were spoken which bound for ever the ravisher to his victim, a cloud began to gather in the horizon which ere long burst over their heads, and which, while it cast him into a foreign dungeon, involved her in every species of undeserved calamity during the whole residue of her sad career.

Such, then, were the steps which led to the marriage of Mary Stuart with the Earl of Bothwell, the importance of which has led me to trace them with somewhat laborious care, and the real nature of which has been too long misrepresented and misunderstood. A calm view of these transactions, based as their narration has been on records of unimpeachable veracity and indisputable value, appears to me to remove most effectually those presumptions against the Queen which ignorance or wilful malice has deduced from them, by showing that she was but a helpless instrument in the hands of others; that she resisted, so far as lay in her power, the accomplishment of the union; and that she only submitted to it when the exertion of heartless and savage violence left

her no alternative but marriage or infamy, coupled with the disgrace of her beloved child. But, whatever may be the opinions of others with regard to the Queen herself, and whatever conclusions they may draw from the facts which I have submitted to their notice, all must agree in referring to those who denounced this transaction in her own age, the words of her old and faithful servant, Leslie, who declares of them, in a work which ought to render his name dear to the lovers of truth and justice, that "these whereof some are now the vehement and hotte Fault finders and most earnest reprouvers, and Blamers of the said pretended mariage, were then the principal Inventers, Practisers, Persuaders and Compassers of the same."<sup>86</sup> And the consideration of the perfidy of their conduct will show the baseness of their character, and render nugatory, in a very great degree, those slanders which they circulated against the Queen.

(86) Leslie, 26, apud Anderson, I.

## CHAPTER VII.

ANGUISH AND DESPAIR OF MARY—TYRANNY OF BOTHWELL —  
REBELLION OF THE NOBLES—CARBERRY HILL—FLIGHT OF BOTH-  
WELL—HIS SUBSEQUENT CAREER, DEATH, AND CHARACTER—  
TREACHERY OF THE LORDS—IMPRISONMENT OF MARY IN EDIN-  
BURGH AND LOCHLEVEN—PLANS FOR THE DISPOSAL OF THE  
QUEEN—REMONSTRANCE OF ELIZABETH—ITS INSINCERITY—  
FORCED ABDICATION OF MARY—RETURN OF MURRAY—VINDIC-  
TIVE RAVAGES OF THE REBELS—ESCAPE OF THE QUEEN FROM  
LOCHLEVEN—ENTHUSIASTIC RECEPTION BY HER SUBJECTS—  
DEFEAT AT LANGSIDE—FLIGHT OF MARY INTO ENGLAND.

WHILE the circumstances which preceded the marriage of Mary with Bothwell evinced, in the strongest manner, her disinclination, and the compulsion which was required to induce her to submit, the events which immediately followed still more indubitably demonstrated her aversion to the alliance, and the misery which the completion of it had produced. On the afternoon of the day on which the ceremony had been performed,—that very day on which, if we may believe the statements of some writers, she had attained the object nearest and dearest to her heart, and in order to attain which she had sacrificed her honour, and aided in the most atrocious crimes,—the aged and venerable

Le Croc, the French ambassador,—a man whose humanity and talents had rendered him equally distinguished, and whose aid was never wanting where peace was to be secured between opposing factions,—was called suddenly to her presence, and he hastened to obey the summons. But how melancholy a surprise awaited him when he entered the cabinet of the lately wedded Queen! Trusting to the malicious statements which the idle and credulous received and reiterated on every side, and which the malignity of her foes did not scruple to invent in order to cast odium on her name, he might, perhaps, and it is probable that he did, expect to find her with a heart elate with joy, scarcely able to repress the exulting gladness of her spirits at this accomplishment of her wishes, and evincing her perfect and unmingled satisfaction in every word and every action. But far, far different, was the aspect which she really wore. Between herself and Bothwell, a strangeness, marked and obvious, prevailed; that bright and cloudless brow, which had once been wont to reflect only the pure and innocent joy of a guileless heart, was darkened with care; those glorious eyes, in which might be traced the overflowing goodness of perfect virtue, were bedimmed with tears; and, when the good old minister remarked her changed demeanour, she assured him that if she were sad,

it was because joy could no longer find a resting-place in her heart, and that the wretchedness of her existence made her look for death as the only relief from her unceasing griefs.<sup>1</sup> And so rapidly did her misery increase, that, soon after this, when in her cabinet with Bothwell, the overwhelming anguish of her soul found vent in piercing shrieks, and she sought for some instrument with which to end her painful existence,<sup>2</sup> while all around her thought that, unless sustaining aid from Heaven were soon granted to her, her sorrows would drive her to despair.<sup>3</sup> In the meantime Bothwell continued to keep her in the same state of duress in which she had been compelled to live before the celebration of the marriage;<sup>4</sup> and the Lords of the

(1) "On Friday her Majesty sent to seek for me; when I came I perceived a strange demeanour between her and her husband; for this she wished me to excuse her, saying, 'that if I saw her sad it was because she could not rejoice, for she did nothing but wish for death.'"—*Le Croc* apud *Strickland's Letters of Mary*, III. 19. *Coll. de Harlay*, 218.

(2) "The Queen was so disdainfully handled, and with such reproachful language, that in presence of Arthur Areskine I heard her ask for a knife to stab herself, or else, said she, I shall drown myself." *Melvil*, 81. "Yesterday being shut up in her cabinet with Bothwell she screamed aloud and then sought for a knife to stab herself. Those who were in the chamber adjoining the cabinet heard her."—*Le Croc* apud *Strickland's Letters of Mary*, III. 19.

(3) "They think that if God does not aid her she will become desperate."—*Ibid.* III. 19.

(4) "Na Nobilman nor uther durst resort to hir Majestie to speke with hir, to procure thair lauchfull Business, without sus-



Council, who avouch this fact, also declare, in another document, that his conduct towards her was such that they could not have lived together for half a year;<sup>5</sup> and Melvil, who was himself at the Court during these events, tells us that "he was so beastly and suspicious, that he suffered her not to pass one day in patience, without making her shed abundance of tears. Thus part of his own company detested him—other part of them believed that her Majesty would fain have been quit of him."<sup>6</sup>

And may we not, when we review the facts which have been narrated, coincide in the opinion which thus arose in the minds even of his own retainers? Can we, without violating the plainest rules of common sense, believe that a marriage, against the interruption of which such strict precautions were thought essential, to effect which seemed to require, even in the judgment of the Earl himself, such rigorous and unceasing caution, and the immediate result of which seems to have been misery of the deepest and bitterest kind,—can we believe that such a union was the result of ardent love, and the consummation of a passion

picion, but be him, and in his Audience, hir Chalmer Duris being continuallie watchit with Men of Weir."—*Bond of Association of the Nobility of Scotland*, June 16, apud *Anderson*, I. 136.

(5) Apud Keith, 418.

(6) Melvil, 82.

which had swept away all the bounds of decency and honour, and hurried its victim into a reckless course of crime? Human nature revolts from a theory so utterly absurd, and every principle of reason condemns so wild a supposition as in every respect inconsistent with probability or truth. That a woman, on the very day of a long-desired union with the object of her deepest love, should declare that she had no heart for joy, and looked only to death as a source of happiness and delight, and that she should, within one day of that event, desire the means of terminating her miserable life; and, on the other hand, that the object of this passion should think it necessary to surround her person with guards, and to prevent her from seeing any of her subjects except in his presence, are circumstances which, when fairly exhibited, sweep all such theories away, and expose to us the truth at a single glance. And the historians who have traduced the fame of Mary have tacitly admitted their force by concealing them entirely from the public eye.

When the murder of the King took place, the cry for vengeance had been loud and long throughout the realm, but at the first very few endeavoured by any other means than clamour to procure the punishment of the assassins.<sup>7</sup> But circumstances

(7) "All Scotland cried out upon the foul murder of the King, but few of them were careful how to revenge it till they were

had since occurred which tended very much to alter their plans, and compelled them to stand forth in some more prominent manner. The news of this atrocious act, spreading rapidly through Europe, had stamped the national name with infamy, and the Scotch were pointed at with scorn in every country, as the perpetrators of an act, the heartless cruelty of which it would be difficult to parallel in the annals of the world; and this general feeling at length aroused their dormant energies, and made them seek, as they had before cried, for the punishment of the murderers. But whom were they to fix upon as the victims of their virtuous anger? The real criminals were their own leaders, the men on whom the glorious cause of rebellion depended for its existence, and these of course they could not be expected to select. And, this course rejected, there remained but one alternative,—to violate their plighted faith, and to denounce as guilty the man whose honour they had so lately sworn to uphold, and in defence of whom they had vowed to sacrifice all that they held dear on earth. The signers of the bond, to which we have before alluded, did not scruple to add perjury of the deepest dye to traitorous rebellion against their

driven thereto by the crying out of all other nations against all Scottish men, wherever they travelled, either by sea or land.”—*Melvil*, 82.

Queen; and the Protestant bishop of Orkney, a man who had declared himself a convert to the Reformed faith, in order to secure his episcopal dignity, and who had performed the marriage ceremony, joined their ranks, and avowed that union to be adulterous and fraught with every species of iniquity, which he had a few days before declared indissoluble in the eyes of Heaven. On the 5th of June, having collected their forces together, and inspired their followers with fury by infusing into their minds a belief that Mary intended to commit the Prince to the keeping of Bothwell, a calumny which she had utterly denied in a special proclamation,<sup>8</sup> they suddenly appeared before Borthwick Castle, in which the Queen and Bothwell then resided. The Earl fled to Dunbar, taking the Queen with him;<sup>9</sup> and from thence, having gathered together some troops, they advanced towards Edinburgh, and met the body of the insurgents at Carbery Hill.

But the army of the Queen, or, as Melvil more aptly calls it, the army of Bothwell, seemed little

(8) This was in the form of a declaration "to certify the people of her good affection, and that she never meant to make any innovations in the kingdom by altering the laws, nor do any thing in the publick affairs but by the advice of the noblemen of her Council."—*Jebb's Life of Mary*, 117.

(9) "The Earl of Bothwel marched forward out of Dunbar toward Edinburgh, taking the Queen with him."—*Melvil*, 82.

disposed for conflict, since the opinion was very general among them that Mary herself had intelligence with the Lords, and was willing to allow them to free her from a thralldom from which she was unable to emancipate herself.<sup>10</sup> And her subsequent conduct combines with the treatment which she had received from Bothwell to render such a supposition probable in the highest degree. When the opposing forces faced each other on the field, and the aged Le Croc had in vain endeavoured to mediate a peace, the Queen, perceiving among the heads of an advancing party the Laird of Grange, a nobleman of rough generosity of character, who seems to have acted from much more conscientious motives than the majority of his party, called him to her, and consented, on the promise of obedience and honour from her subjects, to cause Bothwell to pass off the field, and to place herself under the protection of her Lords. The promise was given. Bothwell, who had already began to

(10) "And albeit her Majesty was there I cannot call it her Army; for many of those who were with her were of opinion that she had intelligence with the Lords, especially such as were informed of the many indignities put upon her by the Earl of Bothwel since their marriage. He was so beastly and suspicious that he suffered her not to pass one day in patience without making her shed abundance of tears. Thus part of his own company detested him, other part believed that her Majesty would fain have been quit of him, but thought shame to be the doer thereof directly herself."—*Melvil*, 82.

manifest a fear that the Queen would desert him,<sup>11</sup> was directed to depart, the Queen not even bidding him farewell, and Mary herself crossed over to her nobles, relying on their solemn assurances, and was received by them with the declaration that she was now among them in her proper place, and that they would pay her as much deference and submission as had ever been accorded to any of her predecessors.<sup>12</sup>

How natural was such conduct on the supposition of her innocence and dislike to Bothwell,—how inconsistent with the theory of her guilt and ardent love! Had such ever existed in any other form than the vague imaginings of adverse writers, might she not, with the most perfect justice, have called back to the recollection of the insurgents the acquittal of the Earl, their own declaration of his perfect innocence, and his long and faithful services to the Crown, and declared that she would not be induced to desert him by the mere will of a rebellious faction? Such a course would have

(11) "As the enemies were very superior in number, Bothwell became greatly alarmed, and at last asked the Queen whether she would keep the promise of fidelity which she had made to him."  
—*Le Croc*.

(12) Morton said in the name of the rest, "Madam, you are here among us in your proper place, and we will pay you as much honor, service and obedience as ever in any former period was offered by the nobility to the princes your predecessors."—*Goodall*, II. 165. *Spotswood*, 207.

been consistent, and might have been adopted, had her will inclined to it ; but by readily availing herself of the first opportunity which presented itself, of escaping from his hands, she showed that that opinion which was so general in her army was founded on the strictest truth.

Bothwell retired from the field, the rebels promising him that he should not be pursued, and thus evincing the coolness of that zeal for the punishment of him whom they declared to be the murderer of the King, which, they averred, burned so fiercely in their breasts, by suffering the accused to escape from them while yet within their grasp. After remaining some little time in the country, he manned a few ships, in his capacity of Admiral of Scotland, and was preparing for a voyage to France, in order to seek aid for Mary, when some vessels commissioned by the Lords<sup>13</sup> pursued him ; and in endeavouring to escape from them he was cast upon the coast of Norway ; but afterwards succeeding in getting off, he arrived in the harbour of Carmesund, where he was treacherously captured by a Danish captain, who believed him to be one of the pirates who infested those seas, and sent ultimately to Copenhagen. While there he made two statements of the affairs of Scotland to the

(13) The commission is in Anderson, I. 147.

king, which are of great value to the historian, and the truth of the greater portion of which time has fully shown;<sup>14</sup> but they seem to have produced very little effect upon the king, who suffered him, however, to remain at liberty. Elizabeth remonstrated against this privilege in very strong terms,<sup>15</sup> and continually requested that he might be sent home for a second trial, a measure to which Bothwell himself assented, if a fair judgment were secured to him;<sup>16</sup> but with this condition the English Queen did not find it convenient to comply.<sup>17</sup> He therefore remained in Denmark, and died about 1576; but the common tale, which is repeated from Melvil, who most probably records only a current rumour, that "he was kept in strait prison, wherein he became mad and dyed miserably,"<sup>18</sup> is obviously contradicted by various circumstances, which show at once that such was not the case.<sup>19</sup>

Such was the sad and mournful fate of the Earl of Bothwell, a man whose early career would have led us to hope for a brighter close, and whose character is one of the darkest mysteries which history presents to our contemplation. His unconquerable

(14) They have been published in Miss Strickland's *Letters of Mary*, I. 218, 253.

(15) Goodall, I. 360.

(16) Goodall, I. 362.

(17) *Ibid.* I. 363.

(18) Melvil, 85.

(19) Appendix, I.



fidelity to his sovereign, amid all the temptations which surrounded him, had procured so large a share of her favour, that it was not very wonderful that he should have dared to aspire even to the highest honour, and look to her hand as the reward of his long and loyal service. But when he found that he had presumed beyond that which he could ever attain, and considered that his rash and hasty advances might have lost him the favour of his sovereign for ever, despair hurried him into actions which stamp his name with infamy, and which, while they must ever strengthen the presumptions against him on other grounds, involved the unwilling object of his unconquerable passion in endless misery and woe. If we believe him to have been concerned in the murder of the King, then, of course, another dark stain will be imprinted on his memory ; but whatever may be our decision on this point, the lesson which he affords us will still be the same, and we shall draw from his fate the solemn warning, that an unrestrained ambition, devoid of the regulation of morality and honour, must ever lead to destruction and shame, and that the first false step may bring in its train a countless host of errors, rising gradually from the most trivial faults, to the most stupendous and horrible of crimes. By such ambition did he, whose valour and honour had gained the esteem of his monarch,

sink into the lowest abyss of degradation and contempt; and by that one false step were all the glories of his life eclipsed, himself hurled from the eminence to which he had attained, and his memory loaded with the execration and reproach of every honest heart; while the Queen, in whose service he had fought and bled, was involved in misfortunes, the greatest which the historian's pen can be called upon to describe.

While, by permitting the Earl to escape, the confederate Lords evinced the insincerity of their desire to punish him for the murder of the King, they equally demonstrated the falsity of their protestations of honour and obedience to their Queen; for when she, relying on their solemn assurance, had placed herself in their hands, they subjected her to treatment disgraceful alike to their loyalty as subjects, and their humanity as men. They carried this unprotected woman in a sort of mock triumph through the streets of Edinburgh; held before her eyes on every side a banner, on which was a representation of the murdered King, with the young Prince kneeling by his side, and crying aloud for vengeance on the assassins, and every means seemed to be taken which brutal ferocity could dictate, to convince her that she was in the hands of reckless and unfeeling men. Agitated by these presages of coming woe, her bursting heart found relief in

burning tears,<sup>20</sup> but all was without effect ; she was consigned to the house of the provost, by the men who but a few short hours ago had sworn to render her homage and obedience. But perjury had become too familiar among the Scottish nobles to be regarded by them even with hesitation, and an oath in their mouths was but a mere empty breath, to be observed or broken as might best suit the interests of those who made it. Yet such were the after accusers of Mary Stuart ; the men on whose bare assertion every fable has been received as truth, and on whose evidence alone must rest all that they brought forward to defame their innocent and virtuous Queen.

It soon began to be feared that the sufferings of Mary would arouse the indignation of the people, and induce them to attempt her rescue, and it became therefore necessary to remove her to some more secluded prison. In order to afford some pretext for such a step, it was asserted that the Queen, who, it should be remembered, was closely guarded, had written and sent a letter to Bothwell, in which she assured him of her unceasing love, and avowed her determination never to desert him, whatever might be the circumstances in which she was placed. How far such a letter accords with

(20) Buchanan, Hist. XVIII. 346.

her ready escape from him—by what means she could contrive to despatch such a letter, eluding the vigilance of her guards,—and why this was not cited among the instances which Murray urged before Elizabeth of her unquenchable affection for her husband, are questions which might afford a wide and somewhat interesting field for discussion; but such is rendered unnecessary, since even Hume admits this letter to have been a forgery of her opponents.<sup>21</sup> However, it served the purpose of the moment, and pretending to be urged by its discovery to instant action, the rebels conveyed her from Edinburgh, and immured her in the castle of Lochleven, under the guardianship of Murray's mother, a woman of infamous character, who possessed all her son's vices without the abilities, which somewhat palliated their odious aspect, and who exulted in this opportunity of triumphing over her betrayed and insulted Queen.

Soon after her imprisonment, various offers were made to Mary of liberty and restoration, on condition of her abandoning the Earl of Bothwell, allowing the annulment of the marriage, and permitting the punishment of the murderers of the late King. To all these she replied, that she had been ever willing that those assassins should be visited with

(21) "The reality of this letter appears somewhat disputable."  
—*Hume*, V. 123, note 1.

the severest penalties of the law, and that if they could now be clearly pointed out, nothing would afford her more satisfaction than that they should pay the forfeit of the law; but with regard to the voidance of her marriage, which was to be on the ground of original nullity, she declared that "takyng herself to be seven weekes gon with chylde, by renouncynge Bodwell she should acknowledge herself with chylde of a bastarde, and to have forfayted her honoure, which she will not do to die for yt."<sup>22</sup> The same scrupulous delicacy and regard for her character which induced her to conceal from her friends the conduct of Bothwell towards her at Dunbar, here compelled her to refuse this expedient, and few will condemn her conduct.

The plans of the confederates seemed to be at this period very unsettled with respect to their future treatment of her, and four courses were proposed by various parties for their adoption. Some of the milder of the rebels were willing that she should be restored to power under very strict limitations; others wished her to resign the crown to the Prince, her son, then an infant about twelve months old; another section desired that she should be brought to trial for a participation in the murder

(22) Throckmorton, apud Robertson, II. 451. Stevenson, 221.

of her husband, and banished from the realm ; while the fourth, and by far the largest portion, advocated the infliction of the highest penalty of the law. To this last division the Reformed clergy, to their eternal shame be it spoken, gave their adhesion ; and Knox, a man whose brutal ferocity of character and odious prostitution of religion must make his name abhorred by all who have a spark of humanity in their hearts, dared, with impious profanity, to call down the vengeance of Heaven upon the nation if they did not consent to the cold-blooded murder of their helpless Queen : and the greater portion of the clergy of his persuasion joined with him in the pious and Christian prayer.

An envoy from the insurgents had in the mean time communicated to Elizabeth this extraordinary act of the nobles, and informed her of the imprisonment of the Scottish Queen. She expressed the strongest indignation at their conduct, and sent an ambassador instantly into Scotland to demand her immediate liberation. But was she sincere ? Could it be possible that she, who had during a long course of years favoured and cherished these rebellious men, — who had furnished them with money and with military aid in their opposition to their sovereign, — who had ever been their ally in prosperity, and whose Court had been their refuge in adversity, — should now feel such horror at the actions in which

she had aided, and contemplate with sincere indignation the events which were but the natural termination of her intrigues? With every desire to be charitable to all, and with the strongest wish to put the most favourable interpretation upon the conduct even of the most habitually corrupt, I cannot believe that the English Queen felt the anger which she expressed, or that the mission was intended for any other purpose than to conceal her real sentiments from Mary, whose indignation, should she ever escape, would be excited to the highest point had her sister-Queen openly favoured her foes, and whose gratitude would be proportionate for proffered favour and assistance. That such was her intention the Lords themselves seemed to feel; and their intercourse with her ambassador sufficiently evinced this opinion; for when, on their excusing their conduct on the grounds of "justice and necessity," Throgmorton, the envoy, asked what they meant by "necessity?" Maitland, one of the shrewdest men of the faction, shook his head, and replied, "Vous etes un renard;"<sup>23</sup> a pretty significant speech under circumstances such as these. And even if we believe that the mediation of Elizabeth was sincere and intended to be effectual, yet, when we perceive that her intrigues had originated the troubles which ended

(23) Lingard, VIII. 12, note.

in this event, we cannot but consider that her conduct much resembled that of the man who should fire a mine beneath the dwelling of his friend, and express his sympathy and offer his aid when his mangled fragments were scattered by the explosion into the air.

Sincere or feigned, the intercession was ineffectual, and Mary still remained in prison, deprived even of the common comforts of existence, prevented from holding any intercourse with her friends, and exposed to the daily insults of the woman in whose charge she was placed. But this state of indecision and unsettled life did not accord with the views of the rebels; and in order to free themselves for ever from the danger to which they must have been exposed had Mary resumed her sway, they prepared three instruments, in which she resigned the crown to her son, appointed Murray regent, and constituted certain noblemen to supply his place during his absence, or in case of death. These papers were sent to Lochleven, and Lord Lindsay, their bearer, entering the apartment in which Mary was, threw them on the table, and commanded her to sign or prepare to die.<sup>24</sup> Some of her pretended

(24) "Ils m'ont menassé de me tuer, si je ne signois une dimission de ma Couronne; ce que cryante de soubdayne mort me fit fayre."—*Mary to Elizabeth, from Workington*, May 17, 1568. *Cott. MSS. Cal. C. I. fol. 68.* *Anderson*, IV. 31. *Strickland's Letters of Mary*, I. 41. "Now at the last cometh the Lord



friends had written to her, imploring her to assent, since any act performed under constraint would be invalid;<sup>25</sup> and their persuasion, joined with her fear of the violent and reckless character of the man who brought them to her, so far overcame her resolution, that she signed without even looking at their contents.<sup>26</sup>

In the mean time Murray had returned from France, whither he had departed some little time before the seizure of Mary, with that peculiar adroitness which led him always to withdraw himself from the scene whenever any of his schemes were about to be put into execution;<sup>27</sup> but before

Lindsay, sent in Commission from their Counsaile to present and offer unto her the Writings, who, most grievously, with feareful wordes, and very cruel and sterne countenance thretned her that unlesse she would therto subscribe she should lose her life."—*Leslie*, 37, apud *Anderson*, I.

(25) "Whereupon the Earle of Athele, Secretaire Ledington, with other Principals of their factions, haud sent Robert Milven to Lochleven to wil her in any case if she sought the safeguard of her life, to condescend to such demaundes, and set her hand to al such writinges as should be proposed and brought to her; whiche, (as they said) to do, never could be prejudicial to her being by force and violence extorted. Sir Nicolas Throgmorton also, being then Ambassadour there from England, gave her the like advise."—*Leslie*, 37, apud *Anderson*, I.

(26) Quhilk her Hienes subscriyvit with mony teares, never luiking what was contenit in the writings."—*Mary's Commissioners*, *Cott. MSS. Cal. C. I. fol. 204*, apud *Anderson*, IV. pt. ii. 86. "Never readinge what was written or conteyned within them."—*Leslie*, 20, apud *Anderson*, III.

(27) "As for the Earle Murraie's absence it doth nothing releave or excuse him; yea, it is singularly to be noted and

he assumed the power which had been bestowed upon him, he determined to have an interview with the Queen. Mary, whose innocent heart seems never to have comprehended the full extent of Murray's villainy, cloaked as it was beneath the guise of extreme sanctity, until after her flight from her kingdom, looked upon his coming with delight, and prepared to welcome him as one who loved her well, and whose power would be at least exerted to restore her to liberty and comfort. But miserable was the disappointment which she was doomed to suffer. Instead of the kind and sympathizing smile, the warm condolence, and the gentle consolation which she might have anticipated from him, her only relative in Scotland, she met with a stern and ill-boding glance; harsh and bitter reproaches for those acts into which the violence of others had driven her, and not her own free will; and a manner which crushed all the hopes which she had fondly cherished, and taught her again to despair of any change in her melancholy condition; and a vast abyss of earthly misery seemed yawning before her, when he left her on that evening with the remark, that she should seek God's mercy, for that was her only hope—a declaration which appeared designed to close against her all hopes of happiness

marked, that his very Journeyes lacke not their fine Fetches to serve his Turne."—*Leslie*, 65, apud *Anderson*, I.

in this world. But on the next morning, when they again met, he was an altered man. He condoled with her on the many afflictions which she had suffered; he declared that the dearest wish of his heart was to screen her from the malice and vengeance of her foes; and he seemed determined, by every means which kindness could decree, to convince her of his amity and affection. Consummately artful was this demeanour, and fully successful in attaining the object which he desired. The warm and generous heart of Mary reposed full reliance in his friendly protestations; she embraced him with fervour, and besought him to accept the Regency as a favour to herself. And ever after this he was enabled to boast that he had accepted the Regency only at the urgent solicitation of the Queen.<sup>28</sup>

Many of the writers who have treated of the events of this age, but more especially those who have confined themselves wholly to the controversial points, have supposed that all the events which have been detailed, from the murder of Riccio to the time which we have now reached, were the result of a deeply laid plan, and were all concerted long before the period at which they actually took place. These writers suppose that Riccio was slain in order to degrade Darnley for his

(28) "For obedience thair of he hes accepted and ressavit the charge."—*Proclamation of Murray*, Aug. 22, 1567, apud *Keith*, 454.

assistance in it ; that he was murdered in order to cast suspicion on the Queen, and that the marriage of Bothwell with her was to promote a similar end ; while all this was to tend to her ultimate dethronement, and the elevation of Murray to the dignity which he actually attained. That so extensive a system as this really existed in their minds seems to me almost impossible to believe ; but, even when we avoid such extremes, it is very difficult to decide where design did not exist, and accident suggested the course of action. It appears to me, however, that much more was prompted by the momentary change of affairs than has been generally admitted ; for, although in the circumstances of the murder, there was an evident scheme to throw the guilt upon her, yet the capture of the Queen, or rather her imprisonment after a voluntary surrender, probably first suggested her deposition, and this act rendered necessary for their justification the fabrication of some such proofs of her asserted guilt, as they afterwards produced in defence of their conduct towards her. The point is a very intricate and difficult one ; and the safest course which we can pursue will be to consider that a general desire existed in the minds of Murray and his party to acquire supreme power, and that, in the pursuit of this object, they took advantage of many of the circumstances which occurred, exaggerated

others of minor weight into importance, and, in some cases, set them in motion for the perfecting of these ambitious schemes. Their motives form a subject of very curious and interesting, but, at the same time, wholly speculative investigation for the critical student; but their actions chiefly concern us here, and these were generally so very obvious in their intent, as to need but little elucidation from the narrator.

Having secured themselves in the possession of power, the successful traitors set no bounds to the exercise of their vindictive malice. They had already sacked the palace of Holyrood-house, and melted and destroyed the plate and jewels of the Queen, and it is probable that they then obtained possession of that famous casket which they afterwards converted into a receptacle for their fabricated evidence, and which had been presented to Mary by the French king, her former husband. But they soon proceeded to legal enactments for the support of their rebellious conduct, and then their inconsistencies and errors—of which, however, the most important will be reserved for consideration in a future chapter, and is not, therefore, alluded to here—sufficiently betrayed their utter inability to palliate their actions, and the wavering and unsettled nature of their future plans. In an act of their parliament passed on the 15th of December,

1567—and which may be regarded as the fullest excuse they could offer—they stated that the only mode of justifying their insurrection was, to declare that it was in the Queen's own default, since some letters which they asserted her to have written to Bothwell,<sup>29</sup> and which were averred to have come into their hands, fully proved her participant in her husband's murder. Yet their value as a cause of the rebellion may be fully seen by considering that, while they asserted that these documents were taken by them on the 20th of June,<sup>30</sup> their insurrection commenced on the 11th of June, according to their own statement:<sup>31</sup> and thus the effect preceded, by about nine days, the reputed cause. And, as if this were not absurd and contradictory enough, the very men who had vindicated themselves by a reference to letters which are filled with indications of the grossest and most violent passion towards Bothwell, five days afterwards passed an

(29) "Wes in the said Quenis awin default in as far as be divers hir previe letteris written halelie with hir awin hand and send be hir to James sumtyme Erle of Bothwell . . . it is maist certeine that scho wes Previe, airt and pairt of the actual devise and deid of the foirnamit murthour of the King."—*Act of Murray's Parliament*, apud *Goodall*, II. 67.

(30) "Junij 20. DALGLESHE Chalmerchild to my Lord Bothwell was taken, and the Box and Letters."—*Murray's Diary*, *Cott. Cal.* B. IX. fol. 247, apud *Anderson*, II. 277.

(31) "June 11. The Lordis came suddenly to Borthuik, Bothwell fled to Dumbar and the Lords retheyred to Edenbrough."—*Murray's Diary*, *Cott. Cal.* B. IX. f. 247, apud *Anderson*, II. 276.

act of attainder against him, in which one of the chief crimes alleged was the ravishing of the person of the Queen.<sup>32</sup> The annals of legislation can surely present few such bright specimens of human inconsistency and folly, as this parliament of the Scottish rebels.

Soon after the close of its sittings four men were executed for an alleged participation in the murder of the King. How far the evidence against them was conclusive, is a question very difficult to be decided; for many internal marks lead us to suspect that the confessions which bear their names are fictitious; but this fact is certain, that, at the place of execution, they fixed the charge of the crime upon Murray and Morton, and declared the complete innocence of the Queen.<sup>33</sup>

In the early part of 1568, Mary was delivered of a daughter, who was sent to France, and became a nun in the convent of Notre Dame de Soissons, escaping the troubles which had embittered her mother's career, by embracing the calm seclusion of a monastic life. This fact has been denied by

(32) Black Acts.

(33) "Shortly after, Murray put to death John Hepborne, Paris, a Frenchman, Daglish, and other servants of Bothwell's which were present at the murder of the King. But they, (which he full little expected) protested at the gallows before God and his Angels, that they understood from Bothwell that Murray and Morton were the authours of the King's death. The Queene they cleered from all suspicion."—*Camden*, I. 97.

some writers, and doubted by others; but it is recorded by one who had great opportunities of learning the truth, *Le Labreur*,<sup>34</sup> and agrees perfectly with the reason which Mary assigned to Throckmorton for refusing to consent to an annulment of her marriage. As the child was sent to France its birth was probably concealed, and this will account for the general silence of contemporaneous historians on the subject.

But while the usurpers were employing every means which their guilty fears could suggest to secure their ill-gotten power, a spirit was abroad in the nation which threatened their speedy downfall; and the sorrows of Mary were endearing her to the hearts even of those under whose charge she was immured. The short space of time which had elapsed had revealed to the really just and well-intentioned nobles the object which the rebels had had in view, and their permitting Bothwell to escape, while he was yet in their power, demonstrated the insincerity of the pretext which they had employed to gain the assistance of their allies; and a large number of them waited only for a fitting opportunity to return to their allegiance to the Crown, and atone, in some degree, for their

(34) "Elle eut du Comte de Bothwel son troisieme mari une fille qui fut religieuse à N. Dame de Soissons."—*Le Labreur, Add. aux Mem. de Castelnau*, apud *Jebb*, II. 610.



past defection. Nor was it long before such an opportunity was presented. The beauty, the gentleness, and the distresses of the Queen had interested very deeply in her favour a young resident in the castle, whose name will ever be dear to humanity while warm and generous self-devotion continue to command the esteem of men, although success failed to crown his efforts, and the glory of effecting the deed was reserved for another hand.

On the 25th of March, 1568, the first attempt was made to deliver her from her dungeon. A washerwoman having been introduced into the castle by George Douglas, the captive Queen exchanged her garments for those of the humble peasant, and, with a hood drawn closely around her head, she stepped into the skiff which was to convey her to the shore. The dismal towers which had been her lone abode, were beginning to fade in the distance, the shore seemed already reached, and liberty once more within her grasp, when the rude gallantry of one of the boatmen defeated the scheme, and consigned her again to her dungeon; for, when she raised her hand to resist his effort to uncover her face, its whiteness and delicacy attracted the attention of her guides, and, having discovered her identity, they returned with her to the island, and George Douglas was compelled to fly. But his younger brother, William, seemed animated by

the same chivalric valour, and fortune smiled upon his efforts. Securing the keys of the castle while the family were at supper, the youthful hero stole to the apartment of Mary; a moment sufficed to array her for a hurried flight; the skiff, already prepared, waited for her beyond the gates; and in a few moments she stood, a free woman, among her old and faithful friends.

Yet how useless and vain was such an escape, if we may credit the statements of some historians, with regard to the general feeling of the Scotch towards their Queen! Such writers have delighted to tell us that infamy had been stamped for ever on the name of Mary; that she had been hurled from her throne as a shameless criminal;<sup>35</sup> and that no hope remained for her in the Scottish realm.<sup>36</sup> Yet how rapidly do such assertions vanish, when we glance for a moment at the actual facts! No sooner had the captive lady escaped from her prison, and raised the banner of loyalty in that secluded part of her kingdom, than a band of the brightest and noblest spirits of the nation flocked joyously to her standard; a bond of association in her favour was signed by nearly one hundred and forty of the principal nobility, clergy, and gentry,<sup>37</sup>

(35) Von Raumer's *Elizabeth and Mary*, 28.

(36) *Ibid*, 116.

(37) Appendix K.

and six thousand brave Scottish hearts rallied round their monarch, to repay her, by their warm devotion, for all the woes she had so recently sustained.<sup>38</sup> How inestimable to Mary must have been this proud token of the love and confidence of her people! and how brightly does it shine forth as an eternal refutation of the calumnies of those who assign to her at this period the contempt and execration of her subjects! The conduct of many of the Scottish nobles towards their Queen was, indeed, worthy of our bitterest indignation; but this bold act has redeemed the character of the nation, and has shown us, that, though often heated by faction, and turned from the paths of rectitude by unworthy motives, there were many who had hearts to feel for unmerited distress, and a spirit to stand boldly forth in defence of unprotected innocence and persecuted virtue.

But Mary was imprudent, and her noble allies were too confident of victory to endure hesitation or delay. After having held a Council at Hamilton, at which she declared that her resignation of the Crown was exacted by fear, and, consequently, null, and called upon Murray to resign his usurped office; she advanced at once to the attack without

(38) "Hereupon within a day or two so great a multitude flocked unto her from all parts that she levied an army of six thousand warriours."—*Camden*, I. 109.

waiting till time had increased and consolidated her forces. A slight advantage, in point of time, enabled Murray to gain a commanding position on the summit of a rising ground, at Langside; and there, in a single engagement, he gained a signal victory over the little army of the Queen. She herself viewed from an adjacent eminence the battle; and when she saw her troops flying vanquished from the field, despair seemed, for the first time, to take possession of her heart. Flying first to Galloway, and then to the Abbey of Dondrenan, near Kirkcudbright, she neglected the solicitations of her friends, who wished her to attempt a second time to rally her supporters; and, heedless of the prayers, enforced even with tears, of her oldest servants, she resolved to trust to the amicable protestations of Elizabeth, and to claim the oft-offered protection and assistance of the English Queen.<sup>39</sup> She entered a humble fishing-boat, on the 16th of May, and, crossing the Solway Frith, arrived at Workington in a state of the utmost destitution and distress, having previously sent a messenger to

(39) "Thinking herself sure of refuge there in respect of the fair promises formerly made to her by the Queen of England, by word to her Ambassadors, and by her own hand, writ both before and after she was Captive in Lockleven." *Melvil*, 92. "She trusted upon the Q. Majesty's help because she had in her Trooble received many Messages to that effect." *Cecil*, apud *Cott. Cal. C. I. f.* 105, *Anderson*, IV. 99. "To whom Queen Elizabeth most largely promised all love and kindnesse of a sister."—*Camden*, I. 109.

London, to inform her sister Queen of her intended voyage, and transmitted by him a diamond which she had previously received from her, as a pledge of mutual friendship and alliance.<sup>40</sup>

(40) "She sent afore hand John Beton with a Diamond which she had before received from her in token of a mutual kindnesse."  
—*Camden*, I. 109.

## CHAPTER VIII.

RECEPTION OF MARY BY ELIZABETH—REFUSAL OF THE ENGLISH QUEEN TO ADMIT HER TO HER COURT—REMONSTRANCES OF MARY—MARY AGREES TO SUBMIT HER CHARGES AGAINST HER SUBJECTS TO ELIZABETH—TRUE OBJECT OF THE CONFERENCES—HIDDEN DESIGN OF ELIZABETH—COMMISSIONERS OF MARY—INDECISION AND STRANGE DEMANDS OF MURRAY—COMMISSIONERS IN CONCERT WITH THE SCOTTISH REGENT.

SCARCELY a step could have been devised more fatally imprudent than that which Mary took in throwing herself upon the protection of the English Queen; and it was the more peculiarly so in the present instance, because several other courses remained open for her adoption. By remaining in that remote corner of her own kingdom, surrounded by the partizans of the house of Hamilton, who had warmly espoused her cause, a short time would have brought to her standard hundreds of those whose conviction of her innocence and disgust at the evidently ambitious designs of the usurper, led them to desire his defeat; and even if this resource had failed, and she had again suffered a defeat, France was still open to her; and there, from her old and attached friends and former

subjects, she would have received a hearty welcome, and might, perhaps, have obtained assistance to regain her throne. But the pure and guileless heart of Mary was ever unwilling to impute deceit to others when their actions might be attributed to a better motive; and, just as, among her own subjects, she seems never to have fully understood the treachery and base duplicity of the men in whom she most confided, so, in this case, she closed her ears against the suggestions of prudence, and rushed headlong into the arms of that woman, whose intrigues had undermined her peace, and whose alliance with her rebellious subjects had mainly contributed to produce the misfortunes under which she at that moment suffered.

But, while her flight into England was imprudent and ill-judged in the highest degree, so far as regarded her own welfare, it was productive of triumph and joy to those in whose power she was thus unfortunately placed. The wily statesmen who had plotted so long against her, saw that the prey had now fallen into their toils, and gloried in the capture of their helpless victim; the jealous Queen found the rival, of whose personal and mental superiority she had long been envious, a suppliant at her feet; and the zealous and eager partizans of the Reformation were overjoyed to find that all their fears of a Catholic succession might be brought to

a speedy end, and drowned in the blood of the hapless Papist; while those in whose hearts justice and compassion reigned supreme, alone wept at her imprudence, and viewed with horror the vast calamities which seemed to hover over her devoted head.

And the first of these soon assumed a tangible form, and confirmed, by the spirit which it evinced, their warmest fears. So soon as she had arrived within the English territory, Mary sent the Lord Herys to Elizabeth with a letter, in which she detailed to her the events which had recently transpired, and the rapidity of which had been such as to startle even those who were accustomed to the constant agitation of those troubled times. She told her, among other things, that the men whom she had raised from the lowest to the highest station in the kingdom, had repaid with black ingratitude her important favours, and lost no occasion of conspiring against her safety, and even against her life; first attempting to seize her husband and herself before their marriage—a crime for which they were banished from their country; then, again, when recalled at the pressing solicitation of Elizabeth, engaging in a plot to procure the death of her secretary in her presence, with manifest danger to herself, considering the delicacy of her situation; and, lastly, when she had again received



them into favour, devising and carrying into execution an odious and violent crime, for the purpose of charging it upon their confiding Queen: that they had then assumed an attitude of virtuous indignation, condemned her for allowing herself to be governed by bad counsels, and expressed themselves desirous to free her from this evil influence, in order that they might guide her to those measures which were most likely to prove beneficial to the state: that she, believing them to be sincere, and desirous to avoid shedding the blood of her people, had placed herself in their hands: that they, instead of fulfilling their promises of fidelity and obedience, had cast her into prison, refused to allow her to plead her cause before the council, reduced her to a state of the utmost misery, and then, by menaces of death, extorted from her an abdication of her crown: and that they had completed their outrages upon her, by branding her name with infamy in the acts of their parliament; stifling the voices of her loyal advocates, compelling all to concur, at least tacitly, in their measures, and closing to her every avenue by which she might hope to vindicate her injured fame:—and she concluded her moving and eloquent appeal, by desiring that her sister Queen would fulfil her oft-repeated promises of succour and assistance, and send for her to come to her Court, where she might with the more ease

declare the evil practices of her rebels, and propound to her reasons which might induce her very strongly to grant her her alliance.<sup>1</sup>

Nothing could be imagined more reasonable, under the circumstances, than such a request as this; yet it met with a response most unexpected and unjust; for Elizabeth, though she poured upon her those friendly protestations of which she was always lavish, and the abundance of which was too often with her a token of hidden treachery, yet refused to admit her to her presence until she had cleared herself of the heinous crimes which were alleged against her; unwilling that the spotless purity of her Court (one of the most licentious, if we may believe those who resided in it, that ever disgraced our nation)<sup>2</sup> should be sullied by the presence of a suspected murderer; and at the same time directed that she should be removed to Carlisle, and kept under close guard, avowedly to protect her from the aggressions of her Scottish foes, but really to prevent her own escape.<sup>3</sup> The utter unreality of her scruples will demonstrate

(1) Cott. MSS. Cal. C. I. fol. 68. Anderson, IV. i. 29. Strickland's *Letters to Mary*, I. 40.

(2) "A place where all enormities were practised, where sin reigned in the highest degree," *Faunt*. apud *Birch*. I. 39. "There was no love, but that of the lusty god of gallantry Asmodeus." *Harrington, Nugæ Antiquæ*, 166. *Osborn, Memoirs*, 33.

(3) "If this be not speedily done it is much to be feared that she may escape, specially if she be not removed before the Lord

itself before we have proceeded far, and it will, therefore, be unnecessary to comment on it here; but it may not be uninteresting to consider the point which has been so often and so warmly disputed, how far it is possible to extenuate the conduct of Elizabeth in detaining Mary in an English prison. When we view the question on the broad ground of justice, there can be but one opinion in the minds of all. That a woman, and a Queen, who, trusting to the promised assistance of another, threw herself upon her protection, for the sole purpose of obtaining that aid against her rebellious subjects which she had been led to anticipate would be freely granted, should be cast into prison, and not only denied the promised succour, but prevented from asking it from other monarchs; while her opponents were allowed to pursue their course of usurpation, and to exercise, unchecked, the power which they had reft from her, is so repugnant to the feelings of every honest mind, that we revolt at once from conduct so unworthy, and condemn its perpetrators as wanting in every sentiment of justice. But policy, believed but too often to be opposed to justice, steps in, and endeavours to justify the course which was pursued. We are told that to restore her to her throne would

Herys return to hir."—*Minute of the English Privy Council*, June 20, 1568, *Cott. MSS. Cal. C. I.* fol. 103. *Anderson*, IV. 103.

have been inconsistent with the honour of Elizabeth, since she was accused of heinous crimes ; to have allowed her to seek for aid from France would have strengthened the alliance between that nation and Scotland, to the ultimate injury of the English power ; while the permitting her to continue at liberty in England would have made her Court the resort of the disaffected, and endangered considerably the stability of the Protestant Church. But it may be fairly asked whether the existence of possible contingencies like these is sufficient to excuse the flagrant violation of justice, and few will fail to admit that a bound must be set to such a species of policy, which punishes and injures the innocent, because they may hereafter chance to become guilty—a policy which was but too often acted upon under the sway of the maiden Queen, and especially in the persecutions of the Catholics, who were imprisoned, because, as members of the ancient Church, it was considered likely that they would be ready to engage in any insurrection which had for its aim the subversion of the newly-established faith. And, even admitting that all these dangers were certain to ensue, what right had the English government to interfere so greatly in the affairs of other nations ? Scotland was an independent kingdom, and possessed an undoubted right to regulate her own alliances ; and when evil began

to flow from these to England, it was then time enough for her to step in and stop that which really menaced her ; but, to outrage every principle of justice in order to avert an imaginary evil which might never arise, was certainly unjustifiable, on every principle of sound and equitable policy. Some of the advocates of Elizabeth's conduct have urged that, since she had already leagued with the rebels of the Scottish Queen, she would have been compelled to continue this course if she had sent her back, and that it was better to keep her safely in England than to restore her to Scotland, and then intrigue against her : and thus the commission of one crime is made to palliate and excuse another. But, amid all these subtle speculations, the course which would alone have been strictly just is altogether overlooked and forgotten. Coming into a realm against the laws of which she had not offended, I see not what right the government of this country could, in any case, possess, to interfere with her liberty ; and thus, if they did not see fit to afford her the aid which had been promised, she should have been permitted to go to France or to Scotland, or wherever she might herself determine. And, even disregarding its treachery, under the peculiar circumstances, her detention was an arbitrary act of injustice which it is impossible to defend or even to excuse.<sup>4</sup>

(4) "The Queen of Scots' detention in England was in violation

But, setting aside justice, nothing could be better judged than the policy which Elizabeth pursued, or more certain to attain the great end which she had in view—the increase of her own power over her unfortunate rival; while the compulsory detention to which Mary was subjected, and of which she often most piteously complained,<sup>5</sup> cut her off at once from all chance of escape. The Scottish Queen was informed that when she had cleared her reputation from the stain which had been cast upon it, she would be admitted to the Court of Elizabeth; and the proud spirit of conscious innocence which glowed within her breast, impelled her into the snare thus

of all natural, public, and municipal law.”—*Hallam's Constitutional History*, I. 219. Appendix L.

(5) “If, on the contrary, that which I reckon upon does not come from you and from some others, for considerations which I am not aware of, at least I trust that, freely as I came to throw myself into your arms, as my best friend, you will permit me, on your refusal, to seek succour from the other princes and friends my allies . . . Now I beseech you to consider how important my long detention is to me.” *Mary*, May 28, 1568, apud *Strickland's Letters of Mary*, I. 47, 48. “Permit me to seek those who will support me without any apprehension . . . and permit me to try what I can do elsewhere, otherwise by delaying matters you will injure me more than my very enemies.” *Mary*, June 13, 1568, *ibid*, 51—53. “I beseech you to consider: my enemies are in the field, and strengthened, and determined, they say, upon ruining all my adherents . . . On the other hand, I am confined here as in a prison; my servants are treated with severity, and my hands, as it were, completely tied, not having permission to receive the requisite intelligence, while they are seeking favour with your council.”—*Mary*, June 26, 1568, *ibid*, 56.

artfully prepared ; and led her to offer to vindicate herself to the woman who had expressed so strong a desire to aid her should her innocence appear. But, although she did undoubtedly make this offer, yet a very fatal error has been committed by some writers, both for and against her, who have supposed that the vindication of her character was the object of the conferences to which she consented ; one of the most important of her opponents declaring that they “ were begun, and continued, with no other view than to clear her from the accusations of her enemies.”<sup>6</sup> That the real design of Elizabeth, from the very first, was to endeavour to get into her own hands the proofs of Mary’s guilt, upon which her enemies grounded their charge against her, there cannot be the slightest doubt. It is, indeed, very difficult for us, living at this remote day, when time has thrown open to us the cabinets of statesmen, and has thus enabled us to regard the secret springs of the great political machine which they directed, and when after events have thrown much light on those which went before them, to place ourselves in the position of those to whom these hidden motives were unknown, and to believe that any of the interested parties were ignorant of those facts which are now so familiar to us all. Yet all our know-

(6) Hume, V. 143.

ledge of the true aim of Elizabeth is derived from such subsequent events, and from papers which were then securely lodged in the hands of Cecil and his party; all of which must have been beyond the reach of Mary's acquaintance: and thus we cannot allow them to have any share in the formation of our conclusions with regard to her intentions. Her letters, however, still remain on record, and these at once furnish us with the most satisfactory and conclusive facts; and the reader must here bear patiently with me, since the position to be established is one of great importance, and can only be supported by somewhat lengthened argument and copious illustration.

In the second letter which she addressed to Elizabeth, after her flight to England, she says, "Je desiroy sur tout venir *en Personne* vous fayre ma complaynte tant pour la proximité de sang de similytude d'estats et professée amitié que pour me descharger *vers vous* de telles calomnienses et parolles qu'ils sont osé proferer contre mon honneur." But have we here any offer of a conference,—a submission of her cause to a trial by a body of councillors appointed for the purpose of investigating her guilt? Nothing can be farther than this from the purport of her offer. To come

(7) Cott. MSS. Calig. C. I. fol. 75, apud Anderson, IV. 47. Strickland's Letters of Mary, I. 45.



before Elizabeth in person—a demand in which she persevered to the last—and there, in her presence, to vindicate her fame : this, indeed, she desires to do ; but this is all ; and, in her subsequent letters this is even more strongly shown. On the 13th of June she writes :—“ Mais hélas ! Madame, où ouistes vous jamais un Prince blasmé pour *escouter en Personne* le plaints de ceulx que se deullent d'estre fausement accusez. Ostez, Madame, hors de vostre esprit, que je sois venue icy pour le sauueté de ma vie, le monde ny toute Ecosse ne m'ont pas reniée, mais pour recouuerer mon honneur, et avoir suport a chastier mes faulx accusateurs, *non pour leur repondere a eulx comme leur pareille*, car je scay qu'ils ne doyvent avoir lieu contre leur Prince, mais pour les accuser devant vous, que j'ay choisie entres tous autres Princes pour ma plus proche parente et parfaicte amye, vous faisant, comme je supposois, honneur d'estre nominée la restitueresse d'une royne qui pensoit tenir ce bien faict de vous vous en donnant l'honneur, et le bon gré toute ma vie, vous faisant aussy cognoistre a l'œil mon innocence et comme faulusement ils m'ont menée \* \* \* \* *Car icy je ne puis ny ne veulx respondre a leur faulses accusations* mais ouy bien par amitie et mon plaisir me veulx je justifier *vers vous* de bonne voglia, *mais non en forme de proces contre mes subjects* \* \* Madame eux et moy ne sommes en rien compaig-

nons, et quant je devrois estre tenue icy, encores aymeray je mieulx mourir que me faire telle.”<sup>8</sup> What can be more clear and forcible than this language, distinguishing, as it does, so amply, between the private justification which she offered, and the public trial which she refused; and mingling the anxious desire of an innocent woman to overthrow the calumnies against her, with the dignity of a Queen, scorning to come in contact with subjects who had already betrayed and defied her? And fully consistent was her subsequent course of conduct. In a letter, written on the 5th of July, the original of which I have not been able to discover, but which will lose nothing in interest by being presented in the elegant translation of Miss Strickland, she says:—“Now, madam, I have promised you *to come to you*, and having *there* made my moan and complaint of these rebels, and they coming thither, *not as possessors but as subjects to answer*, I would have besought *you* to hear my justification of that which they have falsely set forth against me, and if I could not purge myself thereof, you might then discharge your hands of my cause, and let me go for such as I am. But to do as you say, if I were culpable, I would be better advised. But,

(8) Cott. MSS. Calig. C. I. fol. 94, apud Anderson, IV. 95—97. Strickland's Letters of Mary, I. 50—53.

being not so, *I cannot accept this dishonour at their hands*, that being in possession, *they will come and accuse me before your commissioners, whereof I cannot like.* \* \* \* There be many things which move to *fear* that I shall have to do in this country *with other than with you.* But, forasmuch as nothing hath followed upon my moan, I hold my peace. Happen what may happen, I have as leefe to abide my fortune as to seek it and not find it. \* \* \* I am come to *you* to make my moan to *you*, the which being heard, I would declare unto *you* mine innocency, and then require your ayde. And for lack thereof, I cannot but make my moan and complaint to God that I am not heard in my just quarrel \* \* \* Good sister, be of another mind. Even the heart and all shall be your's and at your commandment. *I thought to have satisfied you wholly if I might have seen you.* Alas! do not as the serpent that stoppeth his hearing, for I am no enchanter, but your sister and natural cousin. If Cæsar had not disdained to hear or read the complaint of a petitioner he had not so died. Why should *princes'* ears be stopped, seeing that they are painted so long; meaning that they should hear all and be well advised before they answer?"<sup>9</sup>

Yet what need of further citation, when the pas-

9) Mary apud Strickland's Letters to Mary, I. 59, 60—62.

sages already quoted place the resolution of Mary beyond a doubt? To appear, if permitted, before Elizabeth in person, and there to clear her fame,—a course which showed in the brightest colours her fearless and undaunted innocence,—but to resist the trial of her cause in this particular before commissioners, which she “*could not like*,” or the appearing before a tribunal to be accused by her rebels, which was a degradation to which she would not submit: these are the determinations which show themselves in every line of these beautiful letters, so precious to the friends of Mary. But our evidence stops not here. We rely not simply upon the assertion of the Scottish Queen, unimpeachable as that alone would be; but another witness comes forward,—one who must have known the whole truth, because he advised all the proceedings,—one who was not biassed in her favour, since he was even found among the foremost of her foes; yet he confirms the assertions which she has made on this important point; for, in a paper now in the collection of the Cottonian MSS. corrected and interlined by the hand of Cecil, we find this remarkable passage: —“And as to use any forme or process therein whereby hir subjects should be reputed Accusers of hir the Quenes Majesty was so far from that intention as she meant rather to have such of them as the Quene of Scots suld name called into this Realme, to

be charged with such Crymes as the said Quene suld please to object against them, and if any form of Judgment suld be used it suld be agaynst them."<sup>10</sup> Nothing can be more decisive than this explanation from the chief councillor of the English Queen. And for the reasonableness of Mary's resolution, let those who would exclaim against the injustice of trying a criminal by a tribunal at which he should not be permitted to be present, and who revere the great principle of justice—that a man shall not be condemned on the mere charge and testimony of those whose very existence depends upon his condemnation—let such remember that the principle of justice remains the same, though the individual concerned be Mary Stuart, and the period nearly three centuries ago. It is a very paltry species of quibbling, suited to the polluted atmosphere of the Court of the maiden Queen, but very unworthy of history, to say that she was not asked to submit to a trial, merely because it was called a conference; since if anything be worthy of that name, an investigation in which a charge is brought against a party, and evidence adduced to support it, and that party is called upon to answer and refute it, may surely be appropriately so named. But the spirit of Elizabeth has descended to her admirers, and

(10) Cott. MSS. Calig. C. I. f. 126. Anderson, IV. 12.

a slight verbal quibble is to them an ever welcome aid.

Yet we are triumphantly asked by the followers of Robertson and Hume, what other reason could be assigned for the conferences ; and the question seems to be regarded by these worthy men as completely and finally decisive. But the difficulty of finding a response seems to me to have arisen from the neglect of a very obvious means of acquiring information—the consulting of the journals of the conferences themselves. If we turn to them in order to discover, if possible, the plea which the rebels set up to justify their rebellion and usurpation of power, we shall find that they did not urge the guilt of the Queen in extenuation : this was not asserted until a very late period ; but they averred that Mary had, by documents under her own hand, resigned the Crown to her son, and conferred the regency on Murray ; and to this her replication was, that the resignation had been extorted under constraint and duress. This was the point upon which issue was joined : this alone could determine whether those whom she accused were rebels or the exercisers of lawful authority ; and this was the question which the conferences were to decide. When Mary threw herself into the hands of Elizabeth, and declared that she had been persecuted and driven from her country by rebels,

these men were summoned to account for their conduct—and very justly ; since if she had, as they averred, voluntarily abdicated the government, she could not of course claim the aid of Elizabeth to regain that which she had of her own free will forsaken, or to punish the men who acted only under authority from herself.<sup>11</sup>

With this understanding, then, did Mary consent to the measure which Elizabeth had proposed, and agreed to send Commissioners to accuse her rebels before those who might be appointed by the English Queen. And for this important office she selected some of the most tried and faithful of her councillors and subjects. At the head of this glorious band of true and noble men stood John Leslie, the venerable Bishop of Ross, a man who had been one of her best advisers from a very early period of her reign, but who now for the first time comes prominently before us. The adverse historians, who have been unable to comprehend his unshaken fidelity and chivalrous devotion to his unhappy mistress, and who, themselves corrupted and debased by their continued calumniations of an innocent and defenceless woman, are compelled to assign motives of low cunning to the most gene-

(11) The reader will find the argument here advanced supported, and the position assumed sustained, by the proceedings at the conferences in England.

rous actions of man, have endeavoured to blacken his fame by describing him as a man heated with faction,<sup>12</sup> and so shackled by his prejudices, as to be worthy only of contemptuous neglect as a blind and reckless partisan. Yet his pure excellence of soul commanded the admiration and respect even of his bitterest foes. When the Conferences were in progress, and he was sent by Elizabeth to Mary with an urgent request that she would reply to the charge made against her, that Princess could not avoid the commendation of his fidelity and zeal. Writing to Mary on the 21st of December, 1568, she said, "Althoughe we doubt not but you are well certified of the diligence and care of your ministers having your Commission, yet can we not but, besides an allowance generallie of them, specially note to you your good choice of this Bearer, the Bishoppe of Rosse, who hathe not only faithfully and wisely, but also so carefully and dutifully for your honour and weale behaved himself; and that both privately and publickly, as we cannot but in this sort commend him to yowe, as we wishe you had many suche devoted discrete servants. For in our judgemente we thinke ye have not any that in loyalty and faithfulnessse can overmatche him; and this we are the bolder to write, considering we

(12) "The assertion of a man so heated with faction as Leslie."  
—*Robertson's Scotland*, I. 321.



take it the beste trial of a good servaunte to be in adversitie."<sup>13</sup> Truly glorious, indeed, was the life of this great and noble man. No laurelled wreaths decked his care-worn brow ; no dignity in the state rewarded his unwearying toils ; no tokens of that which men call glory were his ; but the pure consciousness of unswerving rectitude sustained him through all the great and many trials to which he was exposed, and gave him, even in the bitterest adversity, a happiness which to others was unknown ; and his loyalty and devotion to his injured and innocent Queen through every mutation of fortune, undismayed by the dangers which studded his righteous course, will ever induce the homage and reverence of men, and will secure to him a crown of undying glory, far more precious than the transitory trophies of earthly fame. Under this great leader were others scarcely less distinguished than himself for probity and unblemished honour. The Lord Herys, the mention of whose name recalls so forcibly to the mind of the student the most trying scenes of Mary's troubled life, in which he was ever seen, sword in hand, sustaining his sovereign's cause ; Lord Boyd, Lord Levingston, the Abbot of Kilwynning, Sir John Gordon, of Lochinvar, and Sir James Cockburn, of Skirling : these

(13) Elizabeth, apud Cott. MSS. Calig. C. I. fol. 272. Anderson, IV. ii. 184.

were the Commissioners of Mary's choice ; a band of the noblest and bravest spirits which the realm of Scotland could then afford. And they were commissioned " to treat, conclude, and indent upon all sic heidis and articlis as shall be found till our said derrest Sisteris Commissionaris and thame best for the furth setting of the glorie of God, the reducioun of our said disobedient subjectis to their detfull obedience of us, and for good amitie, als well for bygones as to come, betwixt thame and all our obedient subjectis ; and farther, to traite upon the said peax to be maid betwixt our said derrest Sister and us, our realmes and subjectis, and all uther thingis perteyning to the weill of the samen."<sup>14</sup> In addition to this, she furnished them with a long paper of instructions for their guidance in the Conference ; and a similar document, strongly asserting the justice of her cause, and implicating, by a long recital of previous facts, the Earl of Murray and his party in all the recent troubles, was framed by her friends in Scotland, and forwarded to her Commissioners, signed by the Earls of Huntlie, Argyle, Crawford, Eglinton, Cassilis, Rothes, and Errol ; the Lords Ogilvie, Fleming, Somerville, Sanquhar, Zester, Oliphant, Drummond, Salton, and Maxwell ; the Bishops of Sanct-

(14) Cott. MSS. Calig. C. I. fol. 193. Anderson, IV. ii. 34. Goodall, II. 119.

Androis, Dunkeld, Aberdene, Galloway, Brechin, Argile, and the Ilis; and the Abbots of Jedburgh, Kinloss, St. Colme, Glenluce, Fern, New Abbay, Haly-wood, and Lyndoris; together with many more of distinction—another proud monument of the devoted affection of the worthiest of her people. Who shall say, after this, that the whole of Scotland,—aye, or the half of it,—believed her guilty?

So soon as Mary's consent had been given, Elizabeth despatched a messenger with a letter to the Earl of Murray, requiring him to come into England, to answer to the charges which his mistress might adduce against him, and at the same time exhorting him to abstain for the present from all open violence against the party of the Queen;<sup>15</sup> and the Earl, anxious to preserve the alliance of Elizabeth, and, doubtless, very well aware of the course which she really intended to pursue, was not long in resolving to assent to her wishes. But still he was in some degree of indecision. Knowing

(15) "We . . . require and advise you utterly to forbear from all Manner of Hostility and Persecution against all such as have lately taken Part with the said Q. and to suspend all manner of Actions and Proceedings against them both by Law and Arms, as the like is ment by us to be observed on the Q. Part, and others adjoined to her, and to impart unto us plainly and sufficiently all that which shal be mete to inform us of the Truth for your Defences in such waighty Crimes and Causes as the said Q. hath already or shal hereafter objecte against you, contrary to the Deuty of natural borne Subjects."—*Eliz. apud Cott. MSS. Calig. C. I. fol. 89. Anderson, IV. 69. Goodall, II. 73.*

well that the object which Elizabeth had in view was the bringing forward of the charge of murder against Mary, he began, with a truly prophetic spirit, to doubt the sufficiency of that evidence with which he proposed to sustain his accusation; and his own knowledge of the forgery of those letters which he afterwards brought forward, and of which we shall speak hereafter, weighed heavily upon his mind, and displayed its effects in timidity and irresolution. In a note of that which he delivered to the English envoy to be reported to the English Queen, we find him saying, "Further it may be that sic letteris as we haif of the Quene, our Soverane Lordis moder that sufficientlie, in our opinioun, preivis hir consenting to the murthure of the King hir lauchful husband, sal be callit in doubt be the juges to be constitute for examinatioun and trial of the caus, quhether thay may stand or fall; pruiif or not. Thairfoir sen our servand Mr. Jhone Wode hes the copies of the samin letteris translatit in our language, we wald earnestlie desyre, that the saidis copies may be considerit be the juges that sall haif the examinatioun and commissioun of the matter, that thay may resolve us this far, in cais the principal agrie with the copie that then we pruiif the caus indeed."<sup>16</sup> Now, there is something in this

(16) Apud Goodall, II. 75.

mode of proceeding which strikes us at once, almost irresistibly, as mysterious and unintelligible, and causes us to look with some degree of suspicion upon the men who would adopt so underhand a course of conduct. That the Earl of Murray, after he had publicly defamed his Queen, should be struck with some sudden compunction with regard to the evidence upon which his own opinions were grounded; that he should then send, not the originals, and not even copies in the same tongue, of the letters, but translations into another language, for the consideration of the English Queen; and that he should then be unwilling to bring forward his charge unless assured beforehand that the agreement of his principal with his copy would be considered as a proof of his accusation: all strike us as singular and very inexplicable modes of proceeding. Were a similar cause to be adopted in a court of law in the present day; were a litigant to forward his evidence to the judge before the commencement of his trial, and to require from him an assurance, regardless of any opposing testimony that might be brought forward, that his cause should be gained by the production of that evidence before he would commence his suit,—nay, more, were he to forward, not original documents, but translations of them into another tongue, there would be few, I conceive, who would not attribute his conduct to the timidity

of conscious weakness. But, whatever may be the view which we may take of the motives of Murray in adopting this very singular course, the paper from which I have quoted is of inestimable value, since it shows us the duplicity of Elizabeth, and proves, as beyond a doubt, that while she had accepted the consent of Mary on the express condition that that princess should not be called upon to answer the accusations of her subjects, she was at the same time dealing secretly with Murray, and arranging with him for the production of the charge against his Queen, which she had expressly refused to answer, unless admitted to the presence of Elizabeth herself.

And when the Earl of Murray came into England, what a goodly band followed their noble leader, and how gloriously did they contrast with the pure and upright advocates of their defamed and persecuted Queen! High amid the black conclave stood Morton—the leader of the murderers of Riccio—the man who was ever foremost in deeds of blood and horror—the abject slave of the English Court at another period of his career—whose administration was darkened by the most ravening avarice, which ground to the dust all, in order to gratify its odious cravings, and who finally died for his share in the murder of Darnley, condemned by a jury of his peers: and close in his train came the Bishop of

Orkney—the man who had married Mary to Bothwell, and then instantly took up arms in order to dissolve the marriage which his voice had completed;—the Lord Lyndsay, the hero of a thousand dark and bloody scenes, and one of the most lawless of the wild and turbulent portion of the Scotch nobility: and while these were among the principals, there came with them a host of assistants scarcely less odious than themselves. Lethington—the brilliant, the talented Lethington—whose crimes are rendered the more prominent by the occasional good impulses of his heart, and to whose memory the historian must drop a tear of pity, even while he records his infamy,—Buchanan, the libeller of his Queen—a monster of ingratitude, of perfidy, and of shameless mendacity—whose books were condemned for their falsehood by the Scottish Parliament,<sup>17</sup> and who was himself stigmatized as a man of mercenary credit by the English nobles,<sup>18</sup>—and a host of minor parasites: the Abbot of Dumferline, the Laird of Lochleven, Balnaves, and Macgill, combined to swell the rebel train. And of their leader, who shall speak in language deep enough to convey the execration which he must excite in every honest

(17) "His said books have been condemned of falsehood by the Estates of the Realm of Scotland."—*Camden*, I. 88.

(18) "Buchanan's booke entitled the Detection . . . which found small credit with the greatest part of the Commissioners, as a man parciall on that side and of mercenary credit."—*Camden*, I. 116.

heart? Let his acts declare the man, for my hand shrinks from the task of recounting the deformities of his heart. The pen that draws the portrait of the Earl of Murray should be deeply dipped in human blood.

Such were the foes of Mary,—such are the men upon whose assertion her name has been loaded with obloquy, and whose lightest word is regarded by some as weightier than a thousand oaths. Bright, indeed, and cheering is it, to turn from such a picture, and to cast our eyes again upon the noble band of Mary's friends; and if the contemplation of the one has caused us to feel an involuntary horror at the thought that men such as those were sharers of our common nature, the other will raise our opinion of our race. We shall see, in the example of Mary Stuart, the wise, the virtuous, and the good, flocking around the standard of their innocent Queen, to aid her in her distresses, and to endeavour to avert the calamities which the schemes of wicked men were striving to draw down upon her unprotected head; and we shall learn this great moral from the touching scene,—that, even amid the storms of adversity, virtue will never stand alone; but when the clouds of misfortune gather around, and the lightnings flash on every side, its own purity will shield it from destruction, and the sympathies



of kindred hearts alleviate every stroke of earthly woe, by withdrawing the mind from the contemplation of the present, and casting it forward in anticipation, to that world of peace and concord which it will one day surely reach. And thus does history fulfil its highest objects, cheering us forward in our good course, by recounting the triumphs of virtue in bygone days, and presenting to us, from the annals of the past, a wholesome and enlivening lesson for the time that is to come.

## CHAPTER IX.

### INSTRUCTIONS FROM MARY TO HER COMMISSIONERS—INSTRUCTIONS OF THE SCOTTISH NOBLES TO THE COMMISSIONERS OF MARY.

IN order correctly to understand the position and powers of the Commissioners of the Scottish Queen, and the degree of support and countenance which they received from the nobility of Scotland, it may not be amiss to devote a few pages to the instructions with which they were furnished, both by their mistress and by the Scottish Lords,—papers which tend to elucidate very considerably the events which transpired during the progress of the Conferences; and for the introduction of which, in the present place, no apology can be needed by the reader who desires clearly to understand the case of the Scottish Queen, and the transactions of those meetings which have formed the subject of such fierce dispute.

“The ARTICLIS and INSTRUCTIONIS committit in credit be our soverane Lady the Quene’s Majestie of Scotland, to the Lordis Commissionaris, hir trew.

and faithful Subjectis and Counsallouris, JOHN BISHOP OF ROSS, WILLIAM LORD LEVINGSTON, ROBERT LORD BOYD, JOHN LORD HERREIS, GAVIN COMMENDATAR OF KILWYNNING, JOHN GORDON OF LOCHINVAR, AND JAMES COCKBURN OF STRIVELING, Knichtis, appointit be hir Hienes, and be the Erlis, Lordis, Bishoppis, Abbotis, and Baronis, hir Majestie's faithful, constant, and trew Subjectis within the realme of SCOTLAND; to be treatit at the Conference to be held in the city of ZORK, the last day of SEPTEMBER instant, or ony uther day or dayis, place or places, within the realme of ENGLAND, in presence of hir Grace's derrest sister and cousigne the Quene's Hienes of ENGLAND, or in presence of ane nobil and michtie Prince THOMAS DUKE OF NORTH-FOLK, ERLE MARSHALL of the realme of ENGLAND, THOMAS ERLE OF SUSSEX, VISCOUNT OF FITZWATER, LORD EGREMONT and BORNEWELL, President of the Council of the North, and SIR RALPH SADLER, KNICHT, Chancellour of the dutchy of LANCASTER, hir Majestie's Counsallouris and Commissionaris appointit be hir Grace."

FROM QUEEN MARY'S REGISTER.

"First, at your meiting at Zork, you sall declair to the Duke of Northfolk, Erle of Sussex, and Sir Ralph Sadler, present Commissionaris for the

Quene's Hienes of Ingland, that ze ar cum there in my name, with the advice alsua of my faithful subjectis, sufficientlie authorizit to the conference appointit be my said guid sister the Quene of Ingland and me; and the cause of this meiting to be, be ressoun that at my first cuming within this realme of England, I sent unto my said derrest sister the Quene, our traist and faithful Counsallour my Lord Herreis, desyring of hir Grace, in maist freindly manner, to consider the estait of my cause, and how grievous it was, not onlie to me, bot alsua to all uther Princes, to suffer sic practices, that the subjectis, at thair plesour, sould oversé thameselfis sa far, forzetting thair natural and debtful obedience, as to put handis to thair soverane and native Prince, quhilk the Erlis of Murray, Mortoun, and sindrie utheris thair adherentis, has practisit aganis my persoun, doing that lay in thame, not onlie to tak from me my awin authoritie, and government of my realme, bot alsua intrometting and spuilzieing my strengthis; disponing and wasting my jewellis, movabillis, and haill patrimonie, oppressing my faithful subjectis be slauchter, and imprisoning of thair persounis, and rifling and spuilzieing thair gudis, downcasting thair housis, fortalices, and places, to the greit destructioun of the policy of my realme, and hurt to the commoun-wealth thair of: And having maist suir trust and confidence in my

guid sister, and maist tender cousigne, the Quene's Hienes of Ingland, be ressoun of proximitie of bluid, and divers promisis of kindnes past befor, and affirmit be our familiar writingis and messages betwixt us, desirit effectuouslie hir Majestie to give me support of hir awin guidnes, be the quhilk I micht be reponit in my awin realme of Scotland, the auctoritie and government thairof, as I, quha am native just Princess and Quene thairof, aucht to be, and to cause my inobedient subjectis recognize thair offences, and their unnatural dealing with me, rander my strengthis, restoir my jewallis and movabillis, and to desist and ceis fra all usurping of my auctoritie in time cuming, within my realme: Quhilk being done be hir Grace's support and fortificatioun, sould not tend onlie to my weill and comfort, bot alsua to hir Hienes's great honour, befor all uther Princes, and wald obliss me to be mair dett-bund all my dayis unto hir Hienes.

"To the quhilkis my desyris I ressavit maist friendlie and loving answeris and writingis with the said Lord Herreis, quhairby hir Grace, of hir guidness, did promise to support me, and to repone me in my awin realme, be hir Grace's forces onlie, quhairthrow I misterit not to require ony uther Prince for assistance in my causis, and in hoip thairof, desyrit me earnestlie to desist and ceis fra all suit at the King of Spain and uther Princes handis

for support : Quhilk desire I obeyit, putting my hail confidence, nixt God, in hir Grace's promisis.

“ And hir Grace thinking it to be mair meit, that all my causis sould be set forward be sum gude dress, rather than be force, hir Hienes desyrit me alswa very earnestlie, to suffer hir a short space to travel with the Erle of Murray and his adherentis, (quha had submittit thair haill causis in hir handis) to cause thame repair the wrangis and attemptatis committit aganis me, thair Soverane, and contrair thair alledgeance and dewtie, and to desist and ceis in times cuming, quhairthrow I micht be reponit in my realme, auctoritie and government thair of, but ony impediment, and be hir Hienes's labouris and moyen, rather than be force of armis ; desyring alswa, that I wald use hir counsal toward the wrang and offences committit be thame, how the samin sould be repairit to my honour, and my clemencie be usit towardis thame, be hir Grace's sicht : And séing hir Hienes of sa guid mind towardis me, I willinglie condescendit unto hir Grace's desyris, willing to use hir Majestie's counsal towardis my subjectis, without prejudice of my honour, estait, crowne, auctoritie and titill, as maist derrest sister, and tender cousin to hir Hienes.

“ II. Ze sall produce zour commissioun gevin to zou be us, and excuse us that the samin is under our signet onlie, and subscription, be ressoun that

our greit seill, as weill as uther jewallis, are with-haldin fra us ; bot the samin sall be ratifyit, approvit and reformat as neid beis, till it be sufficient : And gif thay produce thair commissioun, ze sall get the copie thair of.

“ III. Or ze enter in ony conference, ze sall protest, that albeit I be best contentit that the causis presentlie in difference betwix me and my disobedient subjectis be considerit, and dressit be my derrest sister and cousigne the Quene’s Majestie of Ingland, or hir Grace’s Commissionaris, auctorizit thairto, befor all utheris, that thairby I intend on na wayis to recognosce myself to be subject to ony Judge on zeird, in respect I am ane fré Princess, having imperial crowne gevin me of God, and acknowledges na uther superiour ; and thairfor that I, nor my posteritie, be in na wayis prejudgit heirby.

“ IV. Ze sall schaw, in my name, to the Duke’s Grace of Norfolk, and the rest of the Lordis Commissionaris of the Quene’s Hienes of Ingland, our derrest sister and cousigne, That James Erle of Mortoun, Johne Erle of Mar, Alexander Erle of Glencairne, the Lordis Hume, Lindesay, Ruthven, Sempill, Cathcart, Uchiltrie, with utheris their assistantis, assemblit in armis ane greit part of our subjectis, declaring be thair proclamatiounis it was for our releif, umbeset the gait in our passage

betwix our castellis of Dumbar and Edinburgh, and tuik our persoun, committit us in ward within our awin place of Lochlevin, and efter intromettit with our cuinzie-house, pressing-irnis, gold and silver, cuinzeit and uncuinzeit, passit to the castel of Striveling, and maid thair fashioun of crowning of our sone, the Prince, then but xij. monethis auld. James Erle of Murray tuik upon him the name of Regent, usurpand thairby the supreme auctoritie of our realme, in the name of that infant, intromettit with the haill strengthis of our realme, jewallis, munitioun, and patrimonie of our crowne, als weill propertie as casualtie : And quhen it pleisit God, of his greit mercie, to releive us out of that strait thraldome, quhair we wer detenit elevin monethis sa hardlie, that nane of our trew subjectis micht have fré access to bespeik us ; thairefter in Hamilton we maid opin declaratioun, that our former constranit writingis in prisoun wer altogidder aganis our will, and done for feir of our lyfe, affirmit the samin be our solemn aith. Zit for the godlie zeal and natural affectioun we buir to our native realme, and subjectis, gave powar to the Erlis of Argile, Eglintoun, Cassillis, and Rothes, to agré and confirm a pacificatioun with the uther Erlis, and thair partakeris ; and passing to Dumbartan left the hie-way, for avoiding of troubill : The said Erlis of Murray, Mortoun, Glencairn, and Mar, with thair



adherentis and partakeris, umbeset the way, and be thair men of weir, quhilk thay had wagit with our awin silver, overthrew our powar, slew sindrie richt honest and trew men, tuik utheris prisoneris, and ransomit thame; condemnit to the deith, under colour of thair pretendit lawis, greit landit Baronis and gentilmen, for no uther cause bot for serving of us, thair native Soverane. This thair unreasonabill and undewtiful proceidingis causit us cum in this realme, to require the Quene's Majestie, our maist derrest sister, and in blude narrest cousigne in the warld (our promisis of luif, friendship, and assistance sa effectuouslie affirmit), favouris and support, that we may enjoy peciabilie our awin realme, according to God's calling, and that our inobedient subjectis may be causit recognosce thair debtful obedience, reform to us and our obedient subjectis the wrangis thay have done, as sall be gevin in special, that ze and thay may live under us in zour calling as gude subjectis, under that heid that God has appointit zow; quhilk in our name ze sall desyre.

“ And zit at the ingiving of the said complaint ze sall declair, That notwithstanding I am willing to cause the Quene's Hieness of Ingland to understand the evil behaviour of my subjectis towardis me, zit I will not submit my estait, crowne, auctoritie nor titillis, to ony Prince or Judge on zeird;

bot is content to use the Quene of Ingland's counsal towardis my subjectis, for the offences committit be thame in extending my clemencie towardis thame allanerlie.

“ V. How sone ony thing beis answerit be my disobedient subjectis to the complaintis foresaidis, ze sall desyre the samin to be gevin in writ, to the effect ze may advise thairon with myself, or ze answer thairto, I being sa concernit, speciallie gif the samin tuichis my honour, quhilk I esteme mair tender nor my lyfe, crown, auctoritie, or ony uther thing on zeird.

“ And gif thay press zou for answer, and thair alledgance beiring ony thing speciallie, quhilk may appeir to alledge me culpabill of my husband's deith, or demissioun of my crown and auctoritie; under protestatioun foirsaid, ze sall answer, That I lament mair heichlie the tragedie of my husband's deith, nor ony uther of my subjectis can do: And gif thay had sufferit, and that I had bene permittit to use my auctoritie, untroublit be my subjectis, I had punisht the committaris thairof as apperteinit: Likeas I am zit willing to do the samin as law and justice will require.

“ And ze sall affirm suirly, in my name, That I had never knowlege, art nor part thairof, nor nane of my subjectis did declair unto me, befor my taking and imprisounment, that thay quha ar now

haldin culpabill, and principal executouris thair of, wer the principal auctoris and committaris of the samin : Quhilk gif thay had done, assuritlie I wald not have proceidit as I did sa far ; suppois I did nathing thairintill bot be the advice of the nobilitie of the realme.

“ VI. Gif thay alledge, that my marriage with the Erle of Bothwell will be any presumption aganis me, ze sall answer, That I never condescendit thairto, unto the time the greitest part of the nobilitie had cleinsit him be ane assise, and the samin ratifyit in parliament, and thay had gevin their plain consent unto him for my marriage, and sollicitid and perswadit me thairto, as thair hand-writing, quhilk was schawin to me, will testifie.

“ VII. In caise thay alledge thay have ony writingis of mine, quhilk may infer presumption aganis me in that cause, ze sall desyre the principallis to be producit, and that I myself may have inspectioun thair of, and mak answer thairto. For ze sall affirm, in my name, I never writ ony thing concerning that matter to ony creature : And gif ony sic writingis be, thay are false and feinzeit, forgit and inventit be thameselfis, onlie to my dishonour and sclander : And thair ar divers in Scotland, baith men and women, that can counterfeit my hand-writing, and write the like maner of writing quhilk I use, as weill as myself, and

principallie sic as ar in cumpanie with thameselfis. And I doubt not, gif I had remanit in my awin realme, but I wald have gottin knowledge of the inventaris and writeris of sic writingis or now, to the declaratioun of my innocencie, and confusioun of thair falset.

“VIII. In case the Erle of Lennox, or any of his name, propone any thing contrair me, ze sall advertise of the samin, quhairthrow I may cause zou mak answer thairto: And in the mene time, ze sall declair his unthankfulness towardis me, quha have bene sa beneficial to him and his, and thairfoir will not spair to declair, for his ingratitude, that thing may tend to his disadvantage, as sall be gevin in particularlie.

“IX. In cais they propone any thing concerning thair actis of parliament, alledging that they have set a parliament, and thairin that the estatīs fand thair proceedingis gude contrair me; ze sall answer, That the samin cannot prejudge me in na sort, because they had na lauchful powar to hald the samin; and I, being thair lauchful Prince, and thay bot my subjectis, I cannot be judgit be thame, for thay aucht to obey. And gif I had bene a private persoun, I sould have bene callit, or at leist presentit in judgment, and heird, utherwayis na sic process can have place: And it is alsua veritie, that after my taking in Edinburgh, I sent the Secretary

Lethingtoun to thair counsal, desiring thame that the estaitis of the haill realme might be convenient, and in thair presence to abyde and underlye thair judgment, for ony thing might be laid to my charge, I being first presentit befor thame.

“X. In cais thay alledge, that I have dimittit my crown, and the samin is ratifyt in parliament, to that ze sall answer, That the place and dait contentit in the said alledgit dimissioun declaris the samin to be maid I being in prisoun, and swa be the law is of nane avail, albeit I had not bene compellit theirt, as was veryfyt and declarit be Robert Melvil the time of my being in Hamiltoun, efter I escapit furth of ward, quha affirmit solemnlie, that he came to me to Lochlevin, immediatlie befor the alledgit dimissioun, sent direct furth of Edinburgh be the Erle of Athole, the Secreter, and utheris partakeris in that cause, and advertisit me, that it wald be laid to my charge to renounce my crowne; and, if I obeyit not the samin, I wald be put shortlie to deith. Thairfor thair counsal was expreslie, to obey the said desyre, for my saiftie, alledging alsua that the samin wald do na hurt afterwardis to my richt, and heirfor, but doubt, I had just cause of feir. Sicklyke, Sir Nicholas Throgmorton, being Ambassadour for the Quene of Ingland, and then remaning in Scotland, sent me the samin counsal in write quhilk I obeyit. Not-

theles, how sone as I was releivit, I revokit the said alledgit dismissioun, in presence of the nobilitie, and maid faith I was compellit thairto upon feir of my lyfe, as said is.

“ And as to the ratificatioun thair of in parliament be the estaitis, the samin proceidit upon a wrangous ground, quhilk was compulsioun in me to renounce my crown afoirsaid ; Lykeas, sindrie of the Lordis maid ressounis upon the articlis zit unresolvit. Notwithstanding of the quhilk, it was concludit on thair manner the samin to be ratifyit. And sindrie of the principallis of the Nobilmen, sic as the Erlis of Huntlie, Argile, and the Lord Herreis, in special, at that time tuik instrumentis, that they consentit not to the dismissioun, bot in sa far as it stude with my fré will, and gif I wald abide at the samin afterwardis, and not utherwayis ; and in cais at ony time thairefter it wer fund, that I was compellit, or did the samin upon just feir, that they sould be fré of thair consent, as gif the samin had never bene gevin ; and all that followit thairupon to be null ; albeit my consent was affirmit be sindrie there present, with mony solemn aithis of sum Lordis, and instrumentis of Notaris, declaring the samin, suppois the contrair be of veritie, quhilk sall be verifyit be instrumentis taken in thair parliament, or singular battel, as thay pleis.

“ And attour, this alledgit renunciatioun was bot

privatlie maid, and as privately admittid be ane few number, of thame onlie quha put handis to me, and not in ane parliament: And alsua the Prince, thair alledgit King, was crownit be the samin number, and the Regent in thair manner admittit; and swa all that followit thairupon can have na place.

“And gif my awin subjectis will behave thameselfis humblie, in sic sort, that thay will onlie desyre the Quene’s Hienes of Ingland to get thame ane remit at my handis, I will use the Quene my guid sister’s advice and counsal in taking ordour with thame for thair offences bygane, and extending of my clemencie towards thame.

“Always ze sall assure, I will never appreive ony of thair proceidingis in thair twa pretendit parliaments, or sen the first tyme thay put handis on my persoun at the Falside. And gif I wald aggré to ratifie or admit of the samin, it sould wreck me and my faithful subjectis, and I never to cum furth of sic troubillis as sould follow thairupon in sindrie sortis; for in that cais, I wald ratifie, appreive and admit of my awin taking, and putting in prisoun, the overgeving of my crown and auctoritie, the murthour of my husband, and never to cum to my crowne quhill my sone be of xxj. zeiris of age, and then to be in his will; and the Lordis that tak part with me, to be traitouris, and to be justlie foirfaltit; the discharge of all my geir, jewallis,

rentis, and livingis; and alsua to mak thame Judges, to sit and accuse me of my life, and divers uther inconvenientis.

“Quhen ony uther articlis beis proponit in name of the Quene’s Hienes of Ingland, concerning the weill of baith the realmis, peace, amitie and concord to be enterteinit betwix thame, or concerning the Quene of Ingland’s particular affairis, ze sall desyre thame all to be gevin in write togidder, that ze may advise with me thairupon, and give answer thairto, and speciallie upon sic thingis as has bene proponit to my Lord Herreis, at his last being with the Quene’s Majestie at London. And ze sall assure, in my name, that I will condescend be the advice of the estaitis of my realme, unto all that may stand to the honour and glory of God, maintaining of tranquillities, peace, amitie, and mutual concord betwix thame twa realmis, and the common gude thairof; provyding that I be restorit and reponit frélie unto my awin realme, and to all princelie honour and government of the samin, in sic wayis, that the lawis thairof be observit and keipit, the libertie thairof maintenit, and our ancient friendship and amitie with our auld freindis and confederatis, sa far as may stand with our honour, unviolatit.

“Bot or ze enter in ressouning heirupon, it sall be guid to the Quene’s Hienes of Ingland to end the contraversie standing betwix me and my subjectis,



quhairthrow I may be recognoscit ane fré princess, and Quene of my awin realme, having powar to aggré and contract upon sic thingis as may stand with the weill of baith our realmis and countries, quhilk mon necessarlie require the consent of the estaitis of my realme, quha will mair easilie consent and accord thairto, knowing me to be thair Princess, but ony contraversie or repugnance, rather than quhen thay knew ony matter to stand in questioun and doubt, and repugnance maid be certane disobedient subjectis, and na ordour to be put thairto.

“Quhair it was desyrit, that the religioun as it presentlie is in Ingland, sould be establisht and usit in my realme, it is to be answerit be zou, that albeit I have been instructit and nourishit in that religioun quhilk hath stand lang time within my realme, and bene observit be my predecessouris, callit the auld religioun, zit nevertheless I will use the counsal of my derrest sister, the Quene's Majestie of Ingland, thairanent, be the advice of my estaitis in parliament, and labour that is in me to cause the samin have place through all my realme, as it is proponit, to the glory of God, and uniformity of religioun in time cuming.

“Quhair it is desyrit, that thair micht be a mutual band of freindship betwix the realmis of Ingland and Scotland, perpetuallie to remane, ze sal answer, That thair is nathing on zeird that I desyre mair

ernestlie than to stand in amitie, love and freindship, with the Quene's Majestie of Ingland, and all the subjectis thair of, and to keip mutual societie, peace and tranquillitie betwix us; because I am hir maist tender sister, and cousigne to hir Majestie, and descendit laitlie of the ancient and principal bluid of hir realme. And gif her Grace will respect me swa as to place me in sic honouris as proximitie of blude requiris, then will I, be the advice of the estaitis of my realme, prefer the friendship of hir Hienes, and hir realme, to all uther Princes and confederatis. And suppois the Quene's Hienes of Ingland be not presentlie movit to advance me thairuntill, zit will I leive nathing undone, be the advice of my estaitis foirsaidis, that may stand with my honour, to contract with hir Grace, for enter-teining of perpetual amitie and freindship betwix us and our twa realmis, in time cuming, and sall, at my arriving within my awin realme, convene ane parliament of the estaitis for that and uther causis, quhilk I understand to be for the common weill of baith our realmis.

“ As to the committaris of the slauchter of my lait husband, ze sall condescend, in my name, that the executouris thair of be punisht thairfoir, according to law and ressoun.

“ And in cais ony thing be proponit concerning my interest to the crowne of Ingland, ze sall declair

and assure in my name, that I have greiter confidence in hir Hienes's luif, freindship and kindness, nor in ony uther Prince on zeird, and thairfoir hes not done, nor will do ony thing in time cuming, that may offend hir Grace in ony sort, hir Hienes using me as hir maist tender sister and consigne at this present, and doing that thing which may stand to my honour, in restoring of me to my awin realme, auctoritie and government thairof, and making me to be obeyit, and my unnatural and disobedient subjectis to recognosce thair dewtie, as I doubt not bot hir Grace will do. Thairfoir ze may assure, in my name, that I will not troubill hir Hienes, nor the lauchful successioun of hir body, provyding always that I be nocht prejudgit of that place and titill, quhilk God, proximitie of bluid, and all lawis, has placit me into, efter hir Hienes and hir successioun.

“ Thir ar the principal heidis and articlis quhilkis I have given unto zou presentlie, as one breif informatioun in my affairis, quhilkis ze sall use be zour awin wisdomis, judgment and discretioun. And in cais ony difficulties arise heirupon, or ony point thairof, or ony new thing to be proponit, ze sall tak sum time to be advisit with me thairupon, and we may give the more resolute answer thairto, for my honour, and weill of my causis ; quhilkis I commit all haille in zour handis, as in my maist faithful

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Counsallouris and Commissionaris, quhais counsal I will use, fulfill, set forward, and abyde at, in all the foirsaid causis, as I will answer upon my princelie honour, quhilk sall be to you sufficient warrant. In witness of the quhilkis I have subscrivit thir presentis, articlis and instructiounis, with my hand, and hes affixt my signet thairto, at Bowton the penult day of September, in the zeir of God MDLXVIII. zeiris.

MARIE R."

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"INSTRUCTIOUNIS and ARTICLIS to be advisit upon, and aggreit, sa far as the Quene's Majestie, our Soverane, sall think expedient, at the meiting of the Lordis in ENGLAND, committit in credit be the Nobilmen, Erlis, Lordis, Bishoppis, Abbottis, Baronis, and utheris, hir Grace's trew faythful subjectis of the realme of SCOTLAND, sic as :

The Erlis of HUNTLE, ARGILE, CRAWFURD, EGLINGTON, CASSILIS, ROTHES, ERROL :

Lordis, OGILVIE, FLEMING, SOMMERVILLE, BOYD, LEVINGSTON, SANQUHAR, ZESTER, HERREIS, OLIPHANT, DRUMMOND, SALTON, MAXWELL :

Bishoppis, SAINT-ANDROIS, DUNKELD, ABERDENE, ROSS, GALLOWAY, BRECHIN, ARGILE, ISLIS :

Abbotis, JEDBURGH, KINLOSS, ST. COLME, GLENLUCE, FERN, NEW-ABBAY, HALY-WOOD, LYNDORIS :

“ To nobill, wise and expert men, ane Reverend Father in God, JOHN BISHOP OF ROSS, ROBERT LORD BOYD, WILLIAM LORD LIVINGSTON, JOHN LORD HERREIS, JOHN GORDON OF LOCHINVAR, KNYCHT, Commissionaris electit and chosin thairto,

“ FIRST, to declair, that the Nobilmen of this realme, true and faythful subjectis to thair Soverane, lament heichlie the pretence of certane particular persounis within the samin, quha, being onlie movit with ambitiou, and unquiet spirits, have, contrare all ressoun, lawis, and gude ordour, usurpit the auctoritie, impresounit our Soverane, and done that thing that lyis in thame, that hir Grace’s auctoritie and powar to reign sould ceis within this realme, to the evill exampill of all uther Princes. And zit thay quha have interprysit the samin are not in nomber the sixth part of the nobilitie, nor of the pepill of the realme : and there ar six or sevin Erlis quha have voit in parliament befor ony of thame quha have usurpit this place, suppois with sic tressounabill and deceitful moyenis they have obtenit the strengthis of the countrie, be greit buddis and rewardis gevin to tratouris, keiparis thairof ; to deceive thair native Princess and maistres, and rander hir Grace’s strengthis and jewallis in thair handis : Qubilk has bene the occasion that the pepill adjacent thair-

about was maid obedient in ane manner to thame, and in special the burroughis. Swa that the Prince being haldin in captivitie, in strait presoun, in Loughlevin, quhilk could not be win, in respect of the strength and situatioun thair of, and als that thay had the haill munitioun put in thair handis be sic buddis and tressounabill deceit, as is knawin ; and in cais the Nobilmen, favouraris of hir Majestie, had raisit ane armie to that effect, it was menasit and boistit, That thay sould send hir heid to thame ; likeas hir deid was oft-times pronuncit, concludit and subscrivit be ane gryt part of hir takeris. And, for saulftie of hir Heines's lyfe, hir Majestie's favouraris ceissit to put thameselfis in armour aganis thame, and conteinit the countrie in sum quietness, zit not without greit greif of conscience, quhill God of his special providence releivit hir Grace out of sic strait presoun. Incontinent efter hir Hienes's releif, all the maist part of the Nobilmen, and haill pepill, assistit to hir Grace ; and samony as wer upon sa schort knowledge convenit, with fré heart aventurit and wairit thameselfis in hir Grace's quarrel, quhill it chancit hir be battell to be invadit be the saidis usurparis, quha stoppit hir passage to Dumbartan, quhair hir Majestie was bund, for saiftie of hir life allanerlie ; to the time that the haill force of hir Grace's favouraris nicht have bene convenit. Quhairthrow hir Majestie

was constrainit to seik for releif at the Quene's Hienes of Ingland's handis. And thairfoir all hir Grace's trew and faythful subjectis of this realme desyris effectuouslie the Quene's Majestie of Ingland to have regard unto hir Grace's cause, and proceedingis thairof, and that of hir princelie powar scho wald restoir our Soverane in hir awin realme, with hir Heines's support. And like as the samin tendis not onlie to the prejudice of our Soverane allanerlie, but to all Princes, to be oppressit be thair subjectis, swa it wald pleis hir Hienes to regard the samin; quhilk gif hir Grace dois, it will procure the heartie luif of all trew Scottismen; utherways it may be prejudicial to hir Hienes, and all Princes, to suffer sic inconvenientis to cum in practice. And als, to require all strengthis to be randerit to the Quene's Majestie, and awneris thairof, with all jewallis, munitioun, re-apparelling thairof, and fré delivering of the Nobilmen quha are haldin and detenit in captivitie be the Erle of Murray, and thair complices, to be dischargit, and gudis and geir restorit quhilkis has bene taken from thame, and that thay desist fra usurping of all auctoritie in time to cum, and securitie to be maid thairupon.

" II. It is to be diligentlie advisit, in cais our Soverane be advisit to underlie the judgment of the Quene of Ingland, and to have the difference betwix hir Grace and hir subjectis tryit, admittand

the Quene of Ingland as judge: It is to be res-sounit with our Soverane, That the samin appeireth to be very hurtful and prejudicial to hir Hienes, because hir Grace, being ane fré Prince, having imperial crown, thairfoir is subject to na uther Prince on zeird, nor can nocht be judgit be thame; and thairfoir, be order of tryal and judgment, hir Grace's causis ar not to be submittit on that manner. Zit nottheles, in respect of hir Hienes's honest, just, and richteous cause, and of hir guid and clene conscience in all proceidingis, we are assurit hir Grace will not refuis, in presence of greit Princes, to declair hir honorabill part in all thir causis inventit calumniouslie aganis hir Grace; provyding alwayis thay be not admittit Judges to hir Hienes; not for feir of ony decreit may be gevin aganis hir Majestie, bot onlie of the prejudice may be ingenderit to all uther Princes in tyme cuming, throw sic practick, gif it cum in use. Bot in cais it be our Soverane's plesour to have the cause ressounit in presence of the Quene of Ingland, or ony hir Grace's Commissionaris appointit thairto, ze sall use thir ressounis, answeris and defensis, to be reformat, eikit, or changit, alwayis be our Soverane's advice, as followis.

“ III. Gif the subjectis usurparis of our Soverane's auctoritie will alledge and object, for colour and defence of thair wickit and unjust proceidingis, that



thair enterpryse was upon the just deserving of our Soverane, be ressoun of the suspicioun had aganis hir Hienes, for alledgit consent to the murthour of hir husband; ze sall answer and declair, That thay can pretend na cullour of defence be that way to thair proceedingis; because the haill progress of thair usage in times past, continuallie, sen the Quene's arrival in Scotland, has declarit the effect of thair meaning, quhilk principallie was groundit upon twa causis; the ane for the furthsetting of the religioun, and the uther for the punishment of the murthour of the King; suppois it is evident the samin has nocht bene thair principal intencion, bot rather to aspire to the hiest place and government of the realme. For it is maist sure, that our Soverane has never merit ony alteratioun of the religioun quhilk hir Grace fand standing at hir first arriving, bot has appointit the Ministeris stipendis quhair thay had nane of befor.

“And farther, the Quene's Majestie, be advice of the thré estatis of hir Grace's realme, satisfyt the desyre of the haill Nobilitie, be ane act of parliament maid concerning all the punctis of the religioun, in the parliament haldin at Edinburgh the xv. day of April, MDLXVII. as the samin proportis at length.

“And as to answer the uther part, it is to be diligentlie and advysitlie rememberit and considerit,

how schortly efter our Soverane's hame-cuming fra the realme of France in Scotland, the Erle of Murray having respect then, and, as appearis, zit, be his proceidingis, to place himself in the government of this realme, and to usurp this kingdom, be his counsal causit the Quene's Majestie become swa subject unto him as hir Grace has bene ane pupil ; in sic sort, that hir Hienes's subjectis had not access unto hir Grace, to propone thair awin causis, or to ressave answer thair of, bot be him onlie ; swa that he was onlie recognoscit as Prince, and hir Majestie but a shadow. And quha pressit to find fault with his abuses, he did pursue thame with sic crueltie, that sum of the principal men he causit put to deid, destroying thair bairnis, housis, and memorie : and causit utheris to be banishit the realme, and put uther Nobilmen in presoun, and detenit thame there. And having the principallis thus dejectit of thair places, he proponit to the Quene's Majestie to have the crown tailzeit, and himself to have the first place ; quhilk hir Grace plainlie refusit, alledging scho wald not defraud the richteous heirs ; and als feirit thairby the wrecking of herself, and secluding of hir Grace's successioun, in respect the desyrer of the said tailzie wald never consent ony way that hir Majestie sould marry ony sic Prince as maid suit at hir Hienes thairfoir, cullouring the samin upon the alledging of mony incon-

venientis that might follow upon the marriage of greit Princes: Quhilk hir Majestie partlie considerit to be of truth, and swa by the commoun inclinatioun of all Princes, and uther women, quhilk rather desyris to ascend nor descend, for retaining the realme at libertie, and to be thrallit to na utheris, was content to dedaigne hir Hienes to accept the Lord Darnly to hir husband, thinkand thairthrow to obtene greitest favouris of all thame of that surname. Bot the contrair is knawin, and quhat impediment was maid thairto be the said desyrer of the said tailzie, quha, be himself and his assistaris conspirt the slauchter of the said Lord Darnly, being then appointit to be marryit with hir Grace, and als of his father, and divers uther Nobilmen being in hir Grace's cumpanie and followaris at that time, and swa to have imprisounit hir Hienes's self in Lochlevin, and detenit hir Grace there all the dayis of hir lyfe, and he to have usurpit the government. Quhilk conspiracie was neir put to executioun in the moneth of June, 1565, at the kirk of Baith, as mony quha wer in counsal with him, and drawin ignorantlie thairon, can testifie. And he séing the samin revelit, drew sindrie to his opinion, under colour of religioun, quha were banishit with him, and tuik refuge in England.

“ And thairefter, he persaving that they could not

stay the marriage, and als that it pleisit God that hir Grace was abill to have successioun, and swa being greit with child, thay inventit the slauchter of hir Majestie's Secretar, in hir Hienes's presence, and cruellie performit the samin, and held hir maist nobill persoun in prisoun, intendand be that way the deith of hir Majestie throuch heich displeour, secluding of hir successioun, and als of hir said husband, be ressoun he was seducit to consent thairto. Bot then seing that hir Grace, with the plesour of God, did escaip thair handis, and releive himself of prisoun, quhairthrow that the doaris thairof wer banishit for thair enterpryse, and als heiring of the zoung behaviour, throw fulage counsal, of hir said husband, thay causit mak offeris to our said soverane lady, gif hir Grace wald give remissioun to thame that wer banishit at that time, to find causis of divorce, outhir for consanguinitie, in respect thay alledgit the dispensatioun was not publishit, or else for adulterie; or then to get him convict of tressoun, because he consentit to hir Grace's retentioun in ward; or quhat uther wayis to despeche him; quhilk altogidder hir Grace refusit, as is manifestlie knawin. Swa that it may be cleirly considerit, and is ane suffioient presumptioun in thir respectis, hir Grace having the commoditie to find the meanis to be separate, and zit wald not consent thairto, to ap-  
peir, that hir Grace wald never have consentit to his

murthour, havand sic uther likelie meanis to have bene maid quit of him, be the Lordis own device ; bot that it may be inferrit that thay wer the doaris thairof onlie, as was deponit be thame quha sufferit deid thairfoir ; quha declarit at all times the Quene our Soverane to be innocent thairof.

“And quhair thay alledge hir Grace is found guiltie thairof be act of parliament haldin be thame, it is to be answerit, There was nathing done in thair parliament that micht prejudge the Quene’s honour in ony sort, hir Grace never being callit nor accusit thairof. For quhat was done, it was not to declair hir Grace guiltie of ony crime, quhilk of ressoun na wayis could be done contrare hir Majestie uncallit, bot onlie ane act maid for safetie of thameselfis fra foirfaltour, quha tressounabillie put handis in her Majestie’s nobill persoun, emprisonit hir Grace, allanerlie foundand thair proceedingis upon just meaning, as thay alledgit ; quhilk sindrie Nobilmen that was hir Grace’s favouraris, then present, buir withall, maist principallie for safety of hir Grace’s lyfe, quhilk, or thair cuming to parliament, was concludit and subscriyvit be ane greit part of hir takeris, to be taken fra her in maist crewel manner, as is notourlie knawin ; suppois sindrie of the Nobilmen partakeris with thameselfis refusit to subscriyve the samin, or consent to hir deid in ony wayis. And in cais ony sic act had bene

maid, the samin cannot prejudge hir Majestie in ony sort, in respect they had na lauchful powar to hald parliament. And als it is aganis all lawis and ressoun to condemn ony creature on lyfe, quhill thay be first callit to use thair lauchful defence, or, at leist, presentit in judgment and heird.

“ And sicklike, it is aganis all lawis and ressoun, and als it was never sene in practice that ever the subjectis were Judges of the Prince, bot sould alwayis obey thame, zea albeit thay be wickit, as the scripture declaris: And it is of truth, as they cannot deny, that hir Majestie, immediatlie efter hir taking, divers times was content to admit the haill Nobilitie and thré estatis of the realme Judges, hir Hienes alwayis being heird to declair hir awin part in thair presence, quhilk altogidder was refusit.

“ Swa everie man may persave thair haill suit is according to thair first pretence, to seclude hir Grace, and hir successioun of hir bodie, and alswa thame of line, as the using of my Lord Duke, and his friendis, instantlie declaris.

“ And gif it beis alledgit, that hir Majestie’s writing, producit in parliament, sould preive hir Grace culpabill, it may be answerit, That there is in na place mentioun maid in it, be the quhilk hir Hienes may be convict, albeit it were hir awin hand-writ, as it is not. And als the samin is devysit be thameselfis in sum principal and sub-

stantious clausis. And sic alledgit privie writingis can mak na probatioun in criminal causis; quhilk will be cleirer nor the licht of the day. And swa be the said writing nathing can be inferrit aganis hir Majestie.

“And in cais it be alledgit, that the marrying of the Erle Bothwel is ane greit suspicioun of hir Hienes’s knowlege; it is answerit, that befor that ever that marriage was laid to hir Grace’s charge, the maist part of the Nobilitie, and principallie of the usurparis, sic as the Erle Morton, Lord Sempil, Lord Lyndsay, and Mr. James Balfour, gave thair consent to the Erle Bothwel. And to remove all suspicioun quhairthrow he micht be abill thairto, thay declarit him innocent of that crime be ane publict assise, and clengit him be ane rollment thairof, and the samin was ratifyit agane in parliament, be consent of the thré estatis; and swa the samin can infer na presumptioun aganis hir Majestie.

“And farther, in testificatioun of hir Grace’s innocencie, and that hir conscience dois persuade himself to abyde all tryal, her Hienes has randerit hir maist nobill persoun within the realme of Ingland, quhair his father, mother, and principal friendis mak residence, havand special commoditie to suit tryal thairof; quhilk, gif hir Grace had knawin himself guiltie, scho wald not of hir awin

fré motioun have cum thairin. Zit nottheles, hir Grace, being ane fré Princess, is not subject to the judgment of ony uther Prince.

“ And farder, it is of trewth, that hir adversaris, usurparis of hir auctoritie, offerit remissioun to sindrie that are convict for that crime by thame, gif thay wald say that hir Grace was guiltie thairof: Bot offeris to prove the seduceris culpabill thairof, in quhatsumever manner thay pleis.

“ Item, Gif it beis proponit, that our soverane Lady the Quene’s Majestie has renouncit hir crown, and all tyill thairof, and that the samin was ratifyt in parliament :

“ To that it may be answerit, The dait and place thairof declair the samin to be maid, hir Grace beand in presoun, and swa be law is of nane avail, albeit hir Hienes had not been compellit thairto, likeas hir Grace was indeed, as was declarit and verifit be Robert Melvill, the time of hir Hienes being in Hamiltoun, after hir Grace was escapit furth of ward: quha affirmit solemnlie, that he came to the Quene’s Majestie to Lochlevin, immediatlie befor the said alledgit dimissioun, sent and direct furth of Edinburgh fra the Erle of Athole, the Secretar, and utheris partakeris in that cause, and advertisit hir Grace, that it wald be laid to hir charge to renounce hir crown, and gif hir Grace did not the samin, scho wald be put schortlie to deith;



thairfoir thair counsal was expreslie to obey thair desyre, for hir safety. And swa hir Majestie had just cause of feir ; for thay affirmit the samin could do na hurt to hir Hienes's richt afterwart ; and swa how sone hir Grace was releivit, scho revokit the said dimissioun in presence of hir Nobilitie, and maid faith scho was compellit thairto upon feir of hir lyfe.

“ And as to the ratificatioun thair of in parliament be the estaitis, the samin procedit upon ane wrangous ground, quhilk was compulsion of our Soverane to renounce the samin, likeas sindrie of the Lordis maid ressounis upon the articlis zit unresolvit ; notwithstanding the quhilk, it was concludit on thair manner the samin to be ratifyt, and sindrie of the principal Nobilmen, sic as the Erlis of Huntlie, Argyle, and Lord Hereis, in special, at that time, tuik instrumentis, ‘ That they consentit not to that dimissioun, bot in sa far as it stude with hir Grace's fré will, and gif hir Majestie wald abide at the samin afterwart, and not utherways ; and in cais thairefter it wer found, that hir Grace was compellit, or did the samin upon just feir, that thay sould be fré of thair consent, as the samin had never bene gevin, and all that followit thairupon to be null ;’ albeit hir fré consent was affirmit be sindrie there present, with mony solemnit aithis, be sum Lordis, and instrumentis of Notaris declaring

the samin, suppois the contrare be of veritie ; quhilk sall be verifit be instrumentis taken in thair parliament, or be singular battel, as thay pleis. And attour, this renounciatioun was bot privatly gevin, and als privatlie admittit, be ane few number of thame onlie quha pat handis in hir Grace, and not in ony parliament ; and als wa the King was crownit be the samin number, and thair Regent on thair manner admittit ; and swa all that followit thair-upon can have na place.

“ Item, In cais certaine articlis be proponit to be ressounit and condescendit unto betwix our Soverane and the realme of Ingland, it is thocht gude be the Nobilitie of this realme, that are trew and faithful subjectis to thair Soverane the Quene’s Majestie, to condescend unto all that may stand to the honour and glory of God, maintaining of tranquillitie, peace, amitie, and mutual concord, betwix thir twa realmis, and the commoun-weillis thair of ; provyding the Quene’s Majestie, our Soverane, be restorit, and reponit frélie in hir awin realme with all reverence, and to hir princelie honour, and government of the samin, in sic wayis, that the lawis thair of be observit and keipt, the libertie thair of maintenit, and our ancient freindship and amitie with our auld freindis and confederatis inviolatit ; and furder, ze sall condescend sa far as our Soverane sall think fit for the present.

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“ Item, In cais it be desyrit, towart the government of the realme, that the Quene’s Majestie our Soverane (? govern it) be the advice of hir counsal of the Nobilitie, it is thocht gude and ressonabill that hir Grace do the samin, and that hir Hienes choose hir counsal of the wisest and maist expert of the Nobilitie of the realme, likeas hir Hienes’s predecessouris has done at all tymes past, and to do all thingis concerning the government of the realme, and weill thair of, be thair advice; utherwayis gif hir Majestie wer constraint to use the counsal onlie of sic as certane hir subjectis wald choise unto hir, the samin sould mak hir Grace be in perpetual thraldome to thame; quhilk is not only prejudicial unto hir Hienes, bot als wa to all Princes, and contrare all custumis and lawis of the realme of Scotland. Alwayis quhat hir Grace thinkis to be done thairintill be your advice, we sall find guid.

“ Item, As to the religioun, suppois the matter be weichty in itself to constrayn mens conscience, zit after ressoning heird thairintill, quhat beis thocht guid be our Soverane and you, we will condescend thairunto.

“ Item, As to the ancient league of France, it has stuid lang amang us, and appearandlie it cannot aggré with the honour of this realme to break the samin: zit, sa far as may stand with our honouris, and weill of this realme, we are content to retein

freindship with Ingland, and to contract thairupon as our Soverane sall think guid ; and als wa to resave na strangeris (to the prejudice of the realme of Ingland) within our realme in ony sort.

“ Item, As to our Soverane’s titill to Ingland, we understand our Soverane the Quene’s Majestie buir ever that luif and favour towart hir sister the Quene of Ingland, that suppois it had stuid in hir powar to have molestit hir Majestie in hir time, zit wald not do the samin, nor intendis (as we understand) to do in time cuming.

“ And now séing the Quene’s Hienes of Ingland is so beneficial to our Soverane, scho thinkis hir Grace meikle mair addettit nor of befoir ; and thairfoir it being our Maistres’s plesour and will, findis that part gude to be condescendit unto for the weill of baith the realmis, and that all occasioun of troubill be removit, or suspicioun, in time cuming ; that our Soverane sall not molest the Quene of Ingland, nor hir lauchful successioun of hir bodie, without prejudice of hir (? our) Soverane’s titill thairefter. In like maner, the Quene’s Grace of Ingland sall do nathing in hir time that may be prejudicial to our Soveraine’s titill after the Quene of Ingland’s deceis : and to require, gif it be hir Grace’s plesour to declare, for that favour to our Soverane in hir awin time, quhen it sall pleis hir Hienes to be movit thairto.

“ Item, As to the punishing the Quene’s husband’s murthouraris, the samin to be execute upon the persounis quha has justlie deservit the samin, as law and ressoun will permit.

“ Item, Quhatever beis condescendit unto, the Lordis promisis to ratifie and appreive the samin, and sall consent thairto in the first parliament that beis haldin be our soverane Lady within the realme of Scotland, and upon thair lyves and honouris sall set forward the samin in time cuming; and gif further beis requirit, to condescend thairto as the Quene’s Majestie our Soverane, be zour adzice, sall think guid.

“ Item, Ze sall not fail, at zour first ressouning, to expound and declair hiely the proceedingis in this last thair pretendit parliament to the foirfaltour of sindrie Nobilmen; and als, that thay daylie continew putting at the Quene’s Grace’s trew favouraris, be charge of thair housis, lifting of pains for absence, and troubling thame urtherwayis, notwithstanding that we have desistit, at our Soverane’s desyre, be the Quene of Ingland’s request; and thairfoir to require the Quene of Ingland, according to hir promise, that hastie ordour be put thairto, that hir Grace’s request be estemit mair weichtie in time cuming nor it has semit at this time, and thairfoir has just cause to employ forces for restitution of our Soverane in her awin realme, quhilk.

ze sall maist earnestlie require befor all uther thingis.

“ Item, To remember amangis other informationis, that the principal cause first set furth be the usurparis quhairfoir thay put first in armis, was, to put the Quene’s Majestie’s maist nobill persoun to libertie, furth of the Erle of Bothwell’s handis, and to punish him for the violent taking and ravishing of hir Hienes, and punishing him for hir husband’s slauchter, and zit has procedit further, as is notourlie knawin, to the usurping of the auctoritie.

“ Thir are the principal heidis and articlis quhilk we presentlie have in heid, for the weill of our Soverane’s service, and advancement of hir Grace’s affairis, to be sichtit, concludit, and set forwart be the Quene’s Majestie, or ressounit at hir Hienes’s plesour, be the advice of the Commissionaris foirsaidis. Subscryvit with our handis at Dumbarton, respective, the 12th day of September, 1568.

“ JOHN ARCHBISHOP	MAXWELL.
OF ST. ANDROIS.	LAUR. LORD OLIPHANT.
EGLINTON.	DAVID LO. DRUMMOND.
FLEMING.	HUNTLY.
GLENLUCE.	CRAWFURD.
SANQUHAR.	ERROL.
ROSSE.	JA. LORD OGILVY.
ARGYLE.	SOMERVILE.
CASSILIS.	ZESTER.

“ My Lord Bishop of Ross, Lordis Levingston, Boyd, Herrys, and Kilwynning, subscryvit not thir articlis, nor the commissioun, because thay wer appointit Commissionaris, (? and) acceptit the samin.

“ Swa endis the copies of the instructiounis and articlis of the Quene’s Majestie of Scotland, gevin for the conference in England.”

## CHAPTER X.

OPENING OF THE CONFERENCES—CHARGE AGAINST MURRAY—  
HIS REPLY—PRIVATE EXHIBITION OF THE LETTERS TO BOTH-  
WELL—OPINION OF ELIZABETH'S COMMISSIONERS RESPECTING  
THEM—REJOINDER OF MARY'S COMMISSIONERS—REMOVAL OF  
THE CONFERENCES TO LONDON—THE CHARGE BROUGHT FOR-  
WARD AGAINST MARY—ANSWER OF HER COMMISSIONERS—  
DEMAND FOR THE ADMISSION OF THEIR SOVEREIGN—ITS RE-  
FUSAL—TERMINATION OF THE CONFERENCES—PRODUCTION OF  
THE LETTERS—OPENING OF A NEW CONFERENCE—ANSWER OF  
MARY TO THE CHARGE—PROPOSAL OF A COMPROMISE BY ELIZA-  
BETH—ITS INDIGNANT REJECTION BY MARY—TERMINATION OF  
THE CONFERENCES—JUDGMENT OF ELIZABETH.

THE city of York was the spot chosen for this important meeting ; and the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler, having been deputed by Elizabeth to hear the cause, repaired thither, and arrived about the same time with the Commissioners of the adverse parties. A few preliminary meetings were occupied in the interchange of commissions, the administering of oaths, and some other forms of a similar nature, uninteresting in the recital ; but on the 7th of October, 1568, the actual proceedings were commenced by the production of a complaint by the Commissioners of Mary against the Earl of Murray and his brother rebels,



the contents of which demonstrate to us, in the most explicit manner, the avowed and understood object of the meeting. Had the end of the conferences been, as Mr. Hume asserts, and as his followers have averred after him, to examine into the charges against the Queen of Scots, surely the production of those charges would have been the first step towards the object of the meeting. But in this interesting document the deputies of Mary followed exactly the course which would be necessary under the supposition which I have already mooted. They stated, very fully, the course of proceeding which had been adopted by the insurgents, and exhibited in the clearest light the infamy of their conduct: They averred that many of the Scotch nobility, among whom they particularized Morton, Mar, Glencairn, Hume, Lyndsay, Ruthven, and others of less note, had risen in arms against their sovereign, under a pretence of zeal for her welfare and safety; That they had imprisoned her in Lochleven Castle, and taken violent possession of the public money; That they had crowned her infant son, then but thirteen months old, while James, Earl of Murray, had taken upon himself the name and authority of Regent; And that, finally, when God of his great mercy had caused her to escape from bondage, they had still remained in arms against her, and had, at length, driven her to seek

refuge in another land ; while such of her subjects as had supported her cause were taken and put to death for their loyalty and allegiance.<sup>1</sup>

Such was the statement of Mary's party ; and it seems difficult to conceive how a charge of rebellion so well supported, could be evaded by those against whom it was adduced. Yet they replied ; and their answer is very curious and valuable, since it contradicts very distinctly many of those statements which they found it convenient to make at a later period. In this very lengthy document—the extent of which makes it difficult to convey its contents in a brief and convenient form—they declared that Bothwell, who was well known by all to be the murderer of the late King,<sup>2</sup> had, nevertheless, entered into great credit and authority with the Queen ; that he had ravished her person, taken her to Dunbar Castle, and there, while he

(1) Cott. MSS. Calig. C. I. fol. 197. Anderson, IV. ii. 52. Leslie, apud Anderson, III. 15. Goodall, II. 128.

(2) And yet, scarcely two years before this charge was penned, Murray and Morton, two out of those who presented it, had signed a paper in which they declared the innocence of Bothwell, and vowed, by all the most sacred oaths that can bind a human being, to defend him with their lives against any who should dare to accuse him of this very crime, of which they now denounced him as guilty. Can it be that this Murray is the same man of whom Sir James Mackintosh has said that “the highest commendations on his moral character are not impugned by one authenticated fact?” *Mackintosh's Hist. of Eng.* III. 141. Or is the historian's standard of morality so far below the Christian's?

held her captive, completed a pretended marriage with her, having previously obtained a divorce from his lawful wife ; that the odium which this transaction had drawn upon the nation had aroused certain of the nobles to endeavour to punish the murderer, to deliver the Queen from the bondage in which she was retained by that tyrant who had presumptuously enterprised to marry her, and to save the young Prince from the hands of the murderer of his father ; that the Earl came forth against them, leading the Queen in his company as a cloke for his wickedness ; that, afterwards, fearing to engage in battle, he fled ; while the Queen, in order to save him, gave herself up into the hands of the confederates ; that, finding her still unwilling to consent to a divorce from Bothwell, they had deemed it necessary to sequester her person for a time in Lochleven Castle ; and that then, finding her body worn out with the burdens of government, and her mind unable to sustain the cares of state, (having attained the enfeebled age of twenty-five !) and perceiving that it was impossible that concord should ever reign between herself and her people, she had resigned her royal power, and transferred her sceptre into the hands of her infant son.<sup>3</sup>

But while they delivered this answer in public,

(3) Cott. MSS. Calig. C. I. fol. 202. Anderson, IV. ii. 64. Leslie, apud Anderson, III. 16. Goodall, II. 144.

they were privately preparing for the adduction of the great charge against Mary which Elizabeth wished them to produce, and endeavouring to poison the minds of the umpires by secret communications. After the answer—the chief points of which have been recited—had been given in, Murray sent to the English Commissioners three of his most trusty servants—Maitland of Lethington, Macgill, and George Buchanan—and instructed them to exhibit to Norfolk and his associates, but privately, and by no means in their capacity as commissioners, certain letters, which he averred had been written by Mary to Bothwell, and from which might be inferred the most vehement presumption of her guilt.<sup>4</sup> And the cunning device which they thus employed entirely prevented the representatives of Mary from seeing the letters, or even becoming acquainted with the fact of their production. Of the letters themselves we shall speak hereafter; but here it may not be amiss to remark, that those which they showed were evidently in Scotch; and in the version which we have now,

(4) " And so they sent unto us the Lord of Lethingtoun, James Makgill, and Mr. George Boqwannan, and an other being a Lord of the Session, which in private and secret conference with us, not as Commyssioners, as they protested, bot for our better Instruction after Declaration of such Circumstances as led and induced to vehement Presumptions to judge her giltie of the said Murder shewed unto us," &c. &c. &c.—*Cott. MSS. Calig. C. I. fol. 198. Anderson, IV. ii. 58. Goodall, II. 140.*

since the Commissioners of Elizabeth forwarded to her an abstract of the principal points, so far as they could, by reading, gather,<sup>5</sup> in which they often use the very words of the Scotch version, while Murray gave in a paper of extracts in that language too;<sup>6</sup> and yet they affirmed, and were ready to swear, that they were in the handwriting of the Queen,<sup>7</sup> who never wrote a word of Scotch or English before her flight into England.<sup>8</sup> And when they came to

(5) "A brief note of the chief and principall pointcs of the Quene of Scottes Lettres written to Bothaill which may tend to her condemnation, for her consent and procurement of the murder of her husband as farre forthe as we coulde by the readinge gather." *Goodall*, II. 148. *Haynes*, 480. *Laing*, II. 229. It might be a curious question to ask from whom Murray had at this time learnt that the letters were written to Bothwell. They were without superscription, and, consequently, if genuine, the person for whom they were designed could be known only to Mary, Bothwell, and Paris, the pretended bearer. I am not aware that Murray at any time asserted that Mary or Bothwell made a full and free confession to him, and, very unfortunately for him, Paris did not come into his hands till January, 1569. Whence, then, this singular knowledge?

(6) Paper Office, apud Anderson, IV. ii. 71. *Goodall*, II. 150.

(7) "And these men heare do constantlie affirme the said Letters and other Writings which they produce of her own Hand to be her own Hand indede, and do offer to swear and take their Oathes thereupon."—*Cott. MSS. Calig. C. I. fol. 198. Anderson*, IV. ii. 62. *Goodall*, II. 142.

(8) The first specimen of her English writing, dated Bolton, Sept. 1, 1568, to Sir Francis Knollis, may be seen among the *Cott. MSS. Calig. C. I. fol. 161*, and is printed among the Letters published in Miss Strickland's collection, I. 78; and he must be a sceptic indeed who will disbelieve the assertion contained in it, when she says, with most original orthography, "I refer all to

London, the French versions of the very same letters were equally declared to have been written by herself: so deeply did they entangle themselves in their own contradictions and deceits.

But it will be more important to endeavour to gather what was the impression which these documents produced upon the minds of the Commissioners to whom they were shown; and, in order to discover this, we shall look, not to their official despatches to Elizabeth; because we have already seen enough of her spirit to understand that none who desired to retain her favour would do so by an expression of feeling in favour of the Scottish Queen; but rather to those private letters in which the heart of the writer guides his pen, unchecked by considerations of policy and interest. In the despatches, indeed, they are careful always to introduce the saving clause, "if the said letters be written with her own hand,"<sup>9</sup> which does not imply a very strong conviction of their genuineness; but there is a passage in a private letter from one of the lords, which is remarkable and valuable in a very high degree. The Earl of Sussex—a nobleman

your discretion and will lissne beter in your gud delin for mi, nor I kan persud you, *nemli in this langag: excus my ivel writin for I never used it afor;*" and concludes, "*Excus my ivel writin thes furst tym.*"

(9) Cott. MSS. Calig. C. I. fol. 198. Anderson, IV. ii. 63. Goodall, II. 143.

of great probity—writing to Cecil on the 22d of October, 1568, some eleven days after the date of that letter, in which he, as one of the Commissioners, made report to Elizabeth of the letters which had been shown, says, “If her adverse party accuse her of the murder, by producing of her letters, she will deny them, and accuse *the most of them* of manifest consent to the murder, *hardly to be denied*; so as upon the trial on both sides *her proofs will judicially fall best out as it is thought.*”<sup>10</sup>

Now such an opinion as this, delivered by a grave and impartial man—an old servant of Elizabeth’s, and likely rather to be biassed against Mary than in her favour—is of the utmost moment. It would never have been delivered in such a manner as this, if he had thought that those letters which he had seen were genuine; because, if they were, nothing could overturn the proofs which would have been thus presented of her criminal participation in the murder; and it shows us most clearly that, so far from the early conviction of the statesmen of England being in favour of the authenticity of the letters, as has been asserted by a recent historian,<sup>11</sup> one of the very men who first saw them, and one who, from the nature of his position, would have examined them with the greatest care, was convinced that they

(10) Lodge’s Illustrations, II. 1, 2. Macdiarmid, 497.

(11) Turner’s Mod. Hist. Eng. IV. 99.

were false, and therefore insufficient to prove the charge which they were intended to support. But the incredulity which he manifested was not founded upon his own conclusions alone, but upon positive testimony of the most conclusive and important character; for Lethington,—not inaptly denominated the chameleon of the state,—whose naturally good heart seems to have been sometimes struck with compunction at his calumniations of his Queen, privately informed the Commissioners that Mary's hand had been frequently counterfeited by himself;<sup>12</sup> and he moved the Duke of Norfolk to think her innocent of all the charges brought against her.<sup>13</sup> Thus do we find soon after, that Norfolk, in a letter to Cecil, declares, that "The Queen of Scottes, in respect of herselfe, hath better frynds of the Regent's side than of here owne;"<sup>14</sup> and so firmly did he ever after this espouse the cause of Mary, that Elizabeth declared, in a fit of jealous rage, "That the Queen of Scotts would never want an advocate so long as Norfolk lived."<sup>15</sup> Of Sir

(12) "Ledington had secretly given them to understand that he had many times counterfeited the Queen's characters." *Camden*, I. 116. Laing, of course, declares this passage to be an interpolation, as he does all which do not accord with his views; but, in this case, as in almost all, without the faintest shadow of a proof.

(13) Murdin, 164.

(14) Paper Office, apud Anderson, IV. ii. 92. Goodall, II. 157.

(15) *Camden*, I. 117. This is alone sufficient to show the inaccuracy of the statement in Hallam's *Constitutional History*, I. 181. Norfolk's real views and motives may be seen in *Camden*, I. 116:



Ralph Sadler's opinions we know but little, yet that little is of some importance ; since he was afterwards dismissed from the post which he occupied of Mary's keeper, at a later period, for showing too much kindness to his unhappy prisoner ;<sup>16</sup> no great proof of his conviction that she was a murderer and adulteress ! Such was the effect which these letters produced upon those before whom they were first displayed.

The replication of Mary's Commissioners to the defence of Murray will suggest itself so obviously to the minds of those who have followed me thus far, that it is scarcely necessary to recapitulate it here. They declared that no one more deeply lamented the death of the King than their mistress, who had always desired to punish his murderers, and would have done so if she had been allowed to exercise her authority uncontrolled by others ;<sup>17</sup> that, so far from the Earl of Bothwell being well known as the murderer of the King, he was acquitted by a legal tribunal, and his acquittal ratified by a Par-

—" He feared lest if he had given sentence against her, he should wrong his owne conscience, and undoe her : and if for her, he should incurre the implacable displeasure of the Queene and the hatred of all such as were averse from the Queene of Scots in respect of Religion, or for other causes."

(16) Mackintosh's Hist. of England, III. 303. Sadler's State Papers, II. 539.

(17) It is easy to understand this. Murray and his party composed her council then, and they managed all the proceedings connected with the murderers.

liament, in which sat the principal of those who now denounced him; that these same men solicited and besought their Queen to marry Bothwell, binding themselves to protect him to the last, and to sustain his innocence against all accusers; that not one of those who now raised their voices against the marriage communicated to the Queen their objection to it before it was completed, but made the first demonstration of their disapproval by rising in arms against her; that, so far from her seeing the Earl of Bothwell conveyed away from the field, they themselves, by their messenger, had exhorted him to escape, assuring him that none should follow him, while they showed the hollowness of their pretended zeal to revenge the murder by allowing him to depart untouched; and that, instead of having resigned the Crown, as was averred, from weariness and inability to reign while she was yet in the flower of her youth, and at the prime of bodily and mental vigour, the resignation was extorted from her by force, and her consent obtained only by the persuasions of those who induced her to believe that, being thus obtained, it would be of no effect, coupled with the most violent threats of bodily harm and menaces against her life itself.<sup>18</sup>

(18) Cott. MSS. Calig. C. I. fol. 204, apud Anderson, IV. ii. 80. Leslie, apud Anderson, III. 18. Goodall, II. 102. Camden, I. 114.

The triumph of Mary was complete; the party of her opponents hung their heads abashed, and not a whisper could be raised in opposition to this manifesto of her friends, or in vindication of that statement, the falsity of which was thus so gloriously and so perfectly exposed.

But, honourable to Mary, and gratifying to her friends, as such a course of affairs was, it seemed to afford but little pleasure to her good friend, the English Queen. The secret negotiations with Murray, in order to induce him to bring forward his charge against Mary, were carried on with some difficulty and delay at such a distance from the court; and, in order to bring them successfully to a close, it became necessary to shift the scene of action to London, that Elizabeth herself might direct the various deliberations. Yet, since the real motive of this could not be avowed, and it would scarcely have been possible, without assigning some reason, to have gained the consent of Mary to the step proposed, Elizabeth seemed to be seized with a sudden fit of impenetrable dulness. Plain and simple as had been the proceedings on both sides; full and explicit as were the despatches of her servants—from which, indeed, we glean most of our knowledge of the transactions at York—and clear and penetrating as the mind of the English Queen showed itself on all other occasions, she declared

herself unable to comprehend these intricate disputes, and required that some of the Commissioners, on both sides, should come to her presence, and there report to her the points concerning which the controversy existed.<sup>19</sup> And both parties willingly assented to this arrangement, the friends of Mary hoping that by this means the matter would soon be brought to a favourable termination, while Murray and his associates well knew the secret motive which prompted this proceeding, and rejoiced at the near approach of that occasion which was to set free all that hatred against their Queen which had long been pent within their hearts. At first a selection was made of the Bishop of Ross, Lord Herys, and the Abbot of Kilwynning for Mary, and Lethington and Makgill on the part of

(19) " We have found it very necessary, for our owne information, and for the more speedy and good ending of the wholl matters, to have some one of ether party, ether of the Commissioners themselves or of such as they shall allowe, to come hither unto us; with whom, as with persons of understanding, and having credit, we may so confer, as thereby we may finally tak some resolution how to direct the doing of you our Commissioners for the speedy ending of the wholl cause." *Elizabeth to her Commissioners*, apud *Paper Office. Goodall*, II. 171. " The Commissioners declared to us all that it was the Queene of England's pleasure and desire that the Treatie and Conference might proceede at London, neare unto her selfe and her Counsell wherby the more ready advise might be given for expeditioun and goode successe thereof, and therefore desired that three or foure Commissioners for every parte should repaire towards London."—*Leslie*, apud *Anderson*, III. 23.

Murray;<sup>20</sup> but Murray at the time offered to join them,<sup>21</sup> and, by degrees, all the Commissioners of both sides were added to the party in London.

But it may, and, doubtless, will, be averred by some, that these statements of the motives and intentions of Elizabeth are founded only upon the vague speculations of those who do not number themselves among her admirers; and partake too much of that philosophy of history which the best historian that England has yet seen, Dr. Lingard, has so truly denominated the philosophy of romance. Nothing, indeed, can be more absurd than the pretensions which some have assumed, to declare the most secret thoughts and intentions of those of whom they write, and to inform us of all that was passing in their minds with as much precision as if they were detailing their own meditations—a branch of speculation in which Mr. Laing stands preeminent. Yet it was not so here; for among the

(20) "The Earle of Murray and his colleagues, after they understode of the Quenes Majesties plesure, as above, weare verie willinge and contented to name two for them, to be sent up to the Courte, and so appointed there upon the Lord Lethington and Mr. James Makgill. And so the Queen of Scottes, upon understandinge of the Quenes Majesties pleasure, appointed for her the Bishoppe of Rosse, the Lord Herryes, and the Abbot of Kylwynnynghe."—*Minute of Oct. 19, 1568*, from the *Duke of Norfolk's Book of Entries*, apud Goodall, II. 175.

(21) "And the Erle of Murray . . . shewed himself right willinge to have come himselfe."—*Elizabeth's Comm. to Cecil. Paper Office. Goodall*, II. 176.

many precious records which time has spared to demonstrate the innocence of Mary, and to assist the cause of her defenders, is one which, penned by their own hands, exposes most completely the duplicity of Elizabeth's ministers, and the real, though hidden, designs of the English Queen. At a meeting of the Privy Council, held at Hampton Court, on the 30th of October, 1568, we find that all the arrangements were made by which the future proceedings were regulated; and the details of these present to us a singular and revolting picture of hypocrisy and deceit. It was determined, among other things, that the Commissioners of Mary should be induced, by plausible and ambiguous talk, to acknowledge themselves vested with the fullest authority, and thus throw themselves into the snare which was prepared for them; rendering themselves unable afterwards to retract by the declaration that the guilt of the Queen did not fall within their commission, which authorised them only to treat on the points contained in their complaint and replication;<sup>22</sup> that Murray and his associates should be asked why they hesitated to charge the Queen with the murder, and assured of the alliance and protection of Elizabeth if they would bring forward their

(22) It may be gratifying to the reader to learn that in this design they were defeated by the sagacity of Mary's Commissioners.

accusation and its proofs: and that every means should be taken to prevent the escape of the Queen of Scots, who would, doubtless, attempt to fly when she should hear of these proceedings.<sup>23</sup> Such were

(23) "It was thought mete that the Bishop of Ross and the Lord Harriss being sent from the Quene of Scotts, should have first access to hir Majesty; and after them Lyddyngton and Macgill.

"That the Quene's Majesty shuld shew to the first, how desyrous she was to have some good end, and therfor ment to have conference with them to resolve hir of certen difficulties, which did arise betwixt both partyes, upon the sight of ther complaynt, and the other's answer and ther reply.

"That therupon they shuld be in a generallitie required to know, whyther they wer not so informed and authorised, as if hir Majestie shuld cause the difficulties to be collected and propounded to them, as they might answer and satisfy hir Majesty.

"*Nota.* That this general manner of talk with them is metest to move them to confess ther authoritie; lest, if they shuld perceave that the matters wherewith ther Quene might be charged for the murdre of hir husband, should be objected to them, they wold declayne the treaty therof, and pretend that they have no commission, but only to maynteane the matters conteyned in ther complaynt and replication.

"The other two persons comming from the Erle of Murraye, would be demanded how they can answer such matters, as are conteyned in the replication of the Quene's part. And next, why they doo forbear in ther answer to chardge the Quene with the giltyness of the murdre, considering, ther part have allweiss gyven it out to the world that she is gilty.

"If they will in the end be content to show sufficient matter to prove hir gilty, so as they may be certainly assured, that, after that proved, they shall not be made subject to hir indignation; it is thought good for many respects, that they shuld be assured, if it may certainly and manifestly appeare to hir Majesty and hir counsell, that the said Quene was gilty of the murdre of hir husband, that then hir Majesty will never restore hir to the crown of

the real intentions of Elizabeth, as ascertained by the record penned by the hand of her secretary, Cecil, at the moment when she was disavowing all intention to proceed to a judicial investigation, and expressing the utmost desire that all might terminate favourably to the reputation of the Scottish Queen; and such is the authority for those statements which the friends of justice have often made, but which their adversaries, or the supporters of Elizabeth, (for the terms are synonymous), have so frequently and so vehemently denied. Let the world judge between the two!

The commission which had been granted by Mary in the first instance, for the conferences at York, had been especially worded, as authorizing her representatives to treat with the Duke of Nor-

Scotland, nor permit hir to be restored, without suche assurances as they shall allow to be good for them; but will make it manifest to the world what she thynketh of the cause.

"And because this manner of procedyng cannot be so secretly used, but the knolledg therof will by some meanes come to the Quene of Scotts: It is thought most necessary afore all things, that she be circumspectly looked unto for dout of escaping; joyn- ing therewith the advertisements out of France of hir frends reports secretly, that it is determyned how she shuld escape now about this time; and also how she hath presently wrytten to the Erles of Huntly and Argille, and the rest of her frendes, to draw towards the west borders of England, to receave hir into hir cuntry; pretending outwardly, that, by the Quene's Majesty's favour, she shall be spedely delyvered: And therefor it is thought good, that all preparation be hastened for hir removing to Tutbury."—*Minute of Privy Council*, Oct. 30, 1568. *Cecil's Papers*, 487. *Goodall*, II. 179, *et seq.*



folk, the Earl of Sussex, and Sir Ralph Sadler ; and something more was rendered necessary by the addition of several other noblemen to the body of Elizabeth's representatives.<sup>24</sup> And in the document which she forwarded for that purpose, dated the 22d of November, 1568, she directed, most expressly, that in case anything should be brought forward which might in the least degree affect her honour, they should demand for her permission to attend and answer in person, and if this was not allowed, the conference should then be entirely broken off. And nothing could be more reasonable than such a demand as this. Even setting aside the fact, that the bringing of such a charge would be a departure from the original object of the conference, as a point which some might dispute, none can fail to see how essential was such a permission to the ends of justice in such a cause as this, where all the evidence which was to be brought forward would consist of letters, the forgery of which could only be detected by herself. And common impartiality demanded that her prayer should not fall unheeded. While the proceedings of the conferences were transacted before the Commissioners at York, no greater favour was perhaps shown to Murray than to his Queen ; but when the

(24) Cott. MSS. Calig. C. I. fol. 224. Anderson, IV. ii. 79. Goodall, II. 189.

meetings were transferred to Westminster, and Murray was admitted to Elizabeth's presence, in violation of an express pledge that this should not take place,<sup>25</sup> the unfairness of Mary's exclusion became so apparent, that a regard to the plainest principles of justice imperatively called upon her to raise her voice against this arbitrary conduct of the English Queen. And the very men who uphold the conduct of Elizabeth in this respect, and who are willing to admit, as unimpeachable, her protestations that her honour would not suffer her to admit Mary, would be among the first to exclaim against the injustice of trying a fellow-creature, more especially on a capital charge, by a tribunal before which he was not permitted to appear. Who cannot fancy the shout of remonstrance which would be raised by such men, in common with all the world, if a judge should object to the presence of a criminal within the court in which he presided, because his own purity and honour would not permit him to breathe the same atmosphere with a man attainted of an odious crime? It is idle to object that this was not a trial, and to conclude from this verbal quibble that the requirements of justice were in the least diminished; for, whether we choose to denominate those who heard the

(25) This is solemnly stated by Mary in a public document.—*Cott. MSS. Titus, C. XII.*

arguments, judges or commissioners, the reputation of Mary would suffer just as much in the one case as in the other, from those calumnies which were permitted to be uttered, while she was denied the opportunity to refute them. And, to crown all, the conduct of Elizabeth shows us how utterly without the semblance of truth was that reason which she assigned for the exclusion of Mary; for, while she refused to suffer her to approach her because she was accused of the murder of her husband,<sup>26</sup> she yet admitted Murray, who had been pointed out, by rumour, as the murderer;<sup>27</sup> who had been accused by Mary at the very first,<sup>28</sup> and against whom she had declared her intention of pressing the charge if they should accuse her of the murder.<sup>29</sup> And yet this man was pure enough to

(26) "It was answered, That the Quenes Majestie was most hartily sorry that she could not presently assent to her personal coming; the Causes thereof being such as she thought the Quene herself wald consider, she being by common Report charged with the procurement and consent of the murdering of her Husband the Lord Darnley."—*Cott. MSS. Calig. C. I. Anderson, IV. 7.*

(27) "A rumour was forthwith spred all over Britain, laying the fact and fault upon Morton, Murray, and other Confederates."—*Camden, I. 88.*

(28) "She offer'd to chardg hir Subjects that have deposed hir, with the Cryme, wherewith she is charged."—*Cecil, June 20, 1568. Cott. MSS. Calig. C. I. fol. 105. Anderson, IV. 100.*

(29) "Yf her adverse partee accuse hir of the murther by producyng of her letters, she wyll deny them, and accuse the moste of them of manyfeste consent to the murther, hardely to be denyed: so as, upon the tryall on bothe sydes, her proofes wyll

be permitted to enter the Court of Elizabeth, from which his sovereign, not more accused than he was, was cruelly and unjustly excluded ! The reasons on which Mary founded her demand, must suggest themselves to all who are not too much blinded by prejudice to see them ; and they are so well and so fairly expressed by herself, that I cannot do better than refer the reader to the full and forcible statement of the Scottish Queen.<sup>30</sup>

On the 26th of November, 1568, the conferences commenced at London, "in the great chamber, anciently called *camera depicta*, next upon the north side of the Parliament Chamber, Westminster,"<sup>31</sup> before some of the most distinguished of the English Council : Sir Nicholas Bacon, the Duke of Norfolk, the Earls of Arundel, Sussex, and Leicester, Lord Clinton, Sir William Cecil, and Sir Ralph Sadler, being appointed by Elizabeth to hear the statements of the conflicting parties ;<sup>32</sup> while Murray, Morton, the Bishop of Orkney, (the infamous Adam Bothwell, who performed the marriage of the Queen with Bothwell,) Lord Lindsay, and the Abbot of Dunfermline, appeared for the rebels ; and the Bishop of Ross, Lords Boyd and Herys,

judycyally falle beste owte, as yt is thought."—*Earl of Sussex*, apud *Lodge*, II. 1, 2.

(30) Appendix M.

(31) Anderson, IV. ii. 103. Goodall, II. 192.

(32) Ibid. IV. ii. 99. Ibid. II. 190.

and the Abbot of Kilwynning, represented the Scottish Queen. The first session was spent in the interchange of commissions and protestations, of slight importance to us now, and in a very quibbling and unmeaning reply by the English Commissioners, to certain questions propounded to them by Murray, with respect to the powers committed to them, which conveys very little, and may, therefore, be passed over in silence.<sup>33</sup>

But, at the second session, on the 26th of November, the storm which had been long gathering, burst over the head of Mary, and the great charge, for which the way had been so carefully prepared, was at length adduced against her. After making a long and laboured protestation, in which they declared that their only desire was to free their nation from odium, which necessity alone had induced them to bring forward these matters "which they had kept in store for the latter cast,"<sup>34</sup> they produced an eik, or addition to their former answer, in which they declared that, "as James, Earl of Bothwell, was the executor of the murder of the King, so was Mary of the foreknowledge, counsell, and device of the murder, commander and per-

(33) It may be seen by the curious in Cott. MSS. Calig. C. I. fol. 233, and is printed in Goodall, II. 200.

(34) Cott. MSS. Calig. C. I. fol. 229. Anderson, IV. ii. 114. Leslie, apud Anderson, III. 29. Goodall, II. 203.

suader of the same to be done, and maintainer and protector of the executors thereof;”<sup>35</sup> and then, in order to strengthen their charge, they gave the direct lie to their former assertion, averring that the estates of Scotland had deposed her in consequence of this concern in the murder, while before, when equally sworn to “procede sincerely and uprightly and not for any affection, malice, or anie worldlie respect, furdur avance or preferr any thinge or matters, otherwise than thair own consciences should beare them wittnes afore Gode, to be honest, godlie, reasonable, just, and true,”<sup>36</sup> they had declared that she voluntarily resigned her Crown, wearied with the cares of state. And thus do their own prevarications and falsehoods, exposed in the clearest light, illustrate their other asseverations, and stamp them as false and malignant slanderers of their Queen.

On the next day the accusation was placed in the hands of the commissioners of the Scottish Queen, and they were, as may be well imagined, astonished at a proceeding which, if not altogether unexpected, had been scarcely looked upon by them as a probable event, and they demanded some time to answer to its contents. And, at length, after having given

(35) Cott. MSS. Calig. C. I. fol. 230. Anderson, IV. ii. 120. Goodall, II. 206. Leslie, apud Anderson, III. 29. Appendix N.

(36) Ibid. fol. 175. Anderson, IV. ii. 39. Goodall, II. 122.

in a protestation, in which they declared that the charge which had been made against Mary was neither at the time of her first imprisonment nor since ever proven, nor should at any time thereafter be proven,<sup>37</sup> they averred that the Earl of Murray had charged his queen unjustly,<sup>38</sup> and avowed their own willingness to defend her as boldly as the others had accused her;<sup>39</sup> but they firmly and decidedly declined to proceed any further in the Conference unless Mary were allowed to come in person to answer to the charge.<sup>40</sup> And the reasons for this demand are so well stated by Leslie himself, that I cannot refrain from quoting his eloquent and for-

(37) Goodall, II. 189.

(38) "Now the Erle of Murray and the rest of his complices be the way of answer defens and excuse charges her Majestie unjustlie with certaine great crimes."—*Leslie*, apud *Goodall*, II. 217.

(39) "And howsoever they did in theyr wryting charge the Queen theyr Soverayn, they for theyr parts wold as boldly defend her."—*Paper Office. Anderson*, IV. ii. 121. *Goodall*, II. 209.

(40) "Finallie, the said Commissionaris for the Quenis Majestie of Scotland, in presence of the Quenis Majestie and counsall for-said, declarit and affirmit constantlie, that hir Majestie nicht do as scho pleasit, but thay wald never consent that thair Soveranis inobedient subjectis sould be ony furdur heard; and that thay wald nawayis proceed ony furdur, conform to thair directioun, unto the time the Quenis Majestie thair Soverane nicht be admittit in proper persoun to cum into the presence of the Quenis Hienes here, and be heard to declare hir awin innocence, like as hir rebellious subjectis had been admittit to calumniat hir Majestie in hir absence, bot wald be glaid to ressave answer to thair former supplicatioun: Protesting, that quhatsoever wer done hierafter befor

cible narration. He says, "The accusatioun of the Queen beinge given in by them and showed to us by the Commissioners of England, we offred first to verifie and make it publicuely knowne, that the Queen our Mistris was innocent of all such haynous matter as they had layde to her charge. And to prove alsoe that the Erle Murray and others of the chiefest of his faction had bin of the councell and partetakers with Bodwall in the devise and execution of that vile acte and murthour; and to that effect we desired first the Commissioners of England, and afterwarde of the Queene her selfe at Hampton Courte, that it should be permitted to the Queen our Soverayne to come in the presence of her and her whole Nobilitie of England, (whoe was then assembled at London attendinge upon the end of the treatie), and alsoe in the presence of the Ambassadors of the great Princes then resident in England, and there to make her innocencie knowne publicuely, and to purge her selfe of all those false calumnies and accusatiouns, and likewise to make it knowne that her accusers were guiltye therof, which we affirmed could not be refused, either by reason, lawe or good custome to any private person, accused of whatsoever crime,

the Quenis Majestie of this realme's Commissionaris, sould not prejudge thair Soverane in any sort."—*Cott. MSS. Titus, C. XII. Goodall, II. 223.*



and much more the same should be granted unto her, beinge a free Princes, consideringe alsoe that her accusers, whome we affirmed to be guiltye and was accused thereof at our Sovereigne's command, was admitted to the Queen of Englande's presence and well enterteyned and hard by her and her Counsell: Otherwaies yf the same were refused, we could not think that there was anie good or honor meant to the Queen our Mistris, or that there was anie hope of godly concord and union to be made by this treatie. And therefore we declared that wee could not proceede anie further therin, for our Commission in that case would not serve us."<sup>41</sup>

Upon the very face of the matter nothing appears more reasonable than this simple demand; yet, strange to say, it has excited the indignation and extreme surprise of many of the impartial historians of this later age. Von Raumer declares that the demanding to be heard in person before Elizabeth, was placing the matter in a position in which no answer was possible or necessary;<sup>42</sup> Hume avers, that it was a mere subterfuge in order to break off the conference, and a prayer which she was sensible could not be granted;<sup>43</sup> and other historians have

(41) Leslie, apud Anderson, III. 30.

(42) Von Raumer's Elizabeth and Mary, 161.

(43) Hume, V. 143—150.

exercised their ingenuity in endeavouring to convince the world that Mary had no right to the privilege which she so urgently and perseveringly demanded. Yet the opinion seems to be one of late origin, and certainly did not prevail very extensively at the period of which we speak. The Duke of Norfolk, writing from York on the 15th of October, 1568, says, "I fynd by sume speches cast owte by thys Quene's Commyssioners, that yf in the ende sche be dryvene to her tryall sche wyll desyer that sche maye be present in person, a thyng that in my opynyon hathe neade of good consyderacyon."<sup>44</sup> And afterwards, when he pressed this matter in the Council, the Earls of Arundel, Sussex, and Leicester, and the Lord Clinton, concurred with him in considering the request most reasonable.<sup>45</sup> Nor was this all: for the doctors of common and civil law, to whom her demands were referred, decided that they were in the highest degree reasonable, and ought in justice to be granted.<sup>46</sup> Yet the wise men of the present day are enabled to perceive, that that which the highest judgments of that age considered equitable and just, was in reality absurd and impossible; while

(44) Paper Office. Goodall, II. 157. Anderson, IV. ii. 92.

(45) "All of which Norfolke, Arundell, Sussex, Leicester, and Clinton, thought to be not unreasonable."—*Camden*, 117.

(46) Fenelon, I. 51—54.

Elizabeth, by thus acting in opposition to the opinion of those by whom she ought to have been guided, acquires fresh glory in their eyes, and the unjust and arbitrary princess becomes a model of impartial justice.

Yet how glorious a proof was this noble offer of the conscious innocence of the Scottish Queen! To be summoned before the whole of the English nobles and the representatives of the monarchs of other lands, and there to stand or fall upon her innocence or guilt alone, and to be branded thus publicly, should her defences fail, as a murderer and adulteress; surely this would not be the course sued for by any but one secure in the proud conviction of purity, and defying the malignity of her foes, while protected by the wide shield of spotless honour. And it is not uninteresting to mark how clearly even her bitterest and least scrupulous foes can see the general inference from such a course in others, though they are wilfully blind to it when she is concerned; for Mr. Laing, whose bitter rancour against Mary is equalled only by the hardihood of his unsupported assertions, and the quibbling injustice of his controversial tactics, tells us that when Murray, on being accused by Mary's Commissioners, offered to proceed to the Queen's own presence, and there to justify himself, "his conduct was precisely that of a person conscious of

his own innocence, who openly solicits the accusation which he defies,"<sup>47</sup> while he condemns a similar demand from Mary as absurd,<sup>48</sup> and seems to perceive in it not the slightest presumption in her favour. And he forgets, that while the one was desiring to repair to a lonely prison, and the presence of a weak and unprotected woman, the other was endeavouring to place herself in the most prominent station, in a high and open tribunal; that Murray was, in fact, striving to pass from light into obscurity, while Mary wished only to bring her cause into the broad and open light of day. And if the conduct of the one shall weigh as a presumption in his favour, how much more shall the course of the other stand as an indubitable evidence of her innocence and confident virtue!

One fact, however, is certain, that the conferences were terminated on the 4th of December, 1568,

(47) Laing's Scotland, I. 194.

(48) "The demand itself was, however, absurd; to justify her innocence to the satisfaction of Elizabeth and the foreign ambassadors was impossible, before the proofs of her guilt were produced." *Laing*, I. 168. The same argument would almost apply to Murray's case, for he made his request for an interview before any proofs were adduced; but how fragile is the whole argument! When the charge had once been given in, of course the proofs would speedily follow; and it is a mere cavil to object to the demand of that which we accord to every malefactor, because it was made a day before or a day after the product of the proofs. Mary wished to be admitted to answer to the accusations of her enemies; and these accusations would of course be sustained by all the proof her adversaries could procure.

three days before the production of the letters, and not in consequence of that event, as many have heretofore supposed. Cecil, indeed, who seems to have been a worthy associate of his royal mistress, and an apt pupil in that dark school of political vice in which she stood so high, endeavoured to conceal this, and thus to produce a disadvantageous impression against Mary, by causing it to appear that the termination of the conferences resulted from the production of the letters; for when, on the 6th of December, Leslie and his associates put their objections into the form of a regular protest, and offered it to the English Commissioners, some trivial and baseless objection was raised to its form, and it was redelivered to them for amendment and alteration. On the very next day the letters were produced; and when, on the 9th, Leslie returned with his corrected protest, an attempt was made to affix to it only the date of its second delivery, from which the conclusion would have been inevitable, that the production of the letters had been the cause of its presentation; but the sagacious prelate saw through the weak design, and insisted upon the retention of the former date, so that both now appear appended to the document.<sup>49</sup> And, even if this were not the case, the

(49) Cott. MSS. Calig. C. I. fol. 252. Anderson, IV. ii. 156, 157. Goodall, II. 230—239, 240. Cott. MSS. Titus, C. XII.

journal of the 4th of December remains, and that places the matter beyond a doubt; for by it we learn that “the said Commissionaris for the Quenis Majestie of Scotland, in presence of the Quenis Majestie and Counsall forsaide, declarit and affirmit constantlie that hir Majestie nicht do as scho pleasit, but they wald never consent that thair Soveranis inobedient subjectis sould be ony furder heard; and that thay wald nawayis proceid ony furder, conform to thair directioun, unto the time the Quenis Majestie thair Soverane might be admittit in proper persoun to cum into the presence of the Quenis Hienes here, and be heard to declare her awin innocencie, like as hir rebellious subjectis had been admittit to calumniat hir Majestie in her absence,

\* \* \* \* \*  
 \* \* \* \* \*  
 \* \* \* \* \*

Protesting, that quhatsoever wer done  
 heirefter befor the Quenis Majestie of this realme's  
 Commissionaris sould not preiudge thair Soverane  
 in any sort."<sup>50</sup> And the Commission of the 22d of  
 November, upon which they acted, carries us back  
 further than all, and utterly destroys that connexion  
 between the production of the letters and the dis-  
 solution of the conferences which some writers have  
 so laboriously endeavoured to create.

But this course of affairs was by no means satisfactory to the English Queen. Desiring, as she did,

(50) Cott. MSS. Titus, C. XII. Goodall, II. 222.

to defame her unhappy prisoner to the utmost of her power, and, consequently, throwing every obstacle in the way of the vindication of her honour, she was disappointed at this sudden blow to her deep-laid schemes, and cast about in her mind for some means by which she could repair the injury which her plot had thus sustained. And a plan was soon devised which attained the desired object, and procured the placing in her hands of the asserted proofs of Mary's guilt. Summoning the Earl of Murray and his friends into her presence, she declared that she found it very much and very strange that they should have thus accused their Queen,<sup>51</sup> but, nevertheless, admitted, that she was willing to hear anything that they might have to

(51) "My Lords, the Quene's Majestie, upon the consideration had of that you call your eike, being an addition to your former answeare, hath commanded us to say unto you, that her Highness thinketh very much and very strange that, being native subjects to the Quene of Scotts, you should accuse her of so horrible a cryme, odible both to God and man, a cryme against law and nature, wherby if you should prove it true, she should be infamous to all Princes in the world. And therefore hath willed us to say unto you, that although you in this doing have forgot your duties of allegiance toward your Soveraine, yet her Majestie meaneth not to forget the love of a good sister, and of a good neighbour and freind. What you are to answeare to this, we are heare ready to hear."—*Cott. MSS. Calig. C. I. fol. 239. Anderson, IV. ii. 146. Goodall, II. 233.* This she afterwards called causing "the Erle of Murray and his company to be streightly and sharply reproved and rebuked . . . in such large sort, as a more earnest and sharper reproof could not be devised in convenient words."—*Goodall, II. 253.*

say in extenuation of this conduct, which she had so severely reprehended. And then did Murray bring forward his precious proofs of the justice of his accusation. On the 6th of December he produced a book of articles, supposed to be the same with the Detection of Buchanan—a book which found little credit with the Commissioners,<sup>52</sup> and the act of Parliament confirming their doings<sup>53</sup> on the 7th,—the minutes of which have been hitherto considered to be lost, but have been printed in the Appendix<sup>54</sup> from a MS. which has come into my hands, bearing every mark of authenticity,—the casket, the two contracts, the record of the trial of Bothwell, the names of the judges, the first short letter, (usually printed as the second,) and the long letter from Glasgow; and on the 8th, the Sonnets (which they considered as one), and six other letters, the depositions of the criminals who were executed for the murder, and the act of the Queen pardoning Bothwell for the capture of her person; and on the 9th he completed his case by producing the evidence of Thomas Nelson, a servant, who escaped in the destruction of the Kirk of Field, and Thomas Crawford, a gentleman of the Earl of Lennox, of

(52) "Buchanan's booke . . . which found small credite with the greatest part of the Commissioners, as a man parcial on that side and of mercenary credit."—*Camden*, I. 116.

(53) Goodall, II. 66.

(54) Appendix O.



whose testimony we shall speak hereafter.<sup>55</sup> But it should be borne in mind, that these papers were exhibited in secret, that they were never seen by any representative of Mary, and that they were supported only by the oaths of Murray, Morton and the rest. But to dwell further upon this would be to anticipate in some measure the subject of the succeeding chapter; and I would only note the fact here as worthy to be borne well in mind.

So soon as the documents had been given in and perused, Elizabeth summoned to her presence the late Commissioners of the Scottish Queen, who had not yet departed from London, and declared that since such matters had been brought forward by their adversaries as tended very strongly, if true, to support the charge which they had promulged, and since she was very anxious that this should be disproved, though she conceived that they, having dissolved their commission, had now no power to answer, she besought them to repair or send to their mistress, and to propound to her three courses for her immediate adoption. "The one was for hir to send some one trusty sufficient person or moe therto authorised with hir answers; the other was for himself to give hir answer to such noble

(55) These papers will be found in Vol. II. Appendix C, and also in Goodall, Laing, and some of them in Buchanan's Detection, and Anderson. The letters will form the subject of a distinct chapter.

men as hir Majesty wold (if she lyked) send to hir : And the last was, to appoynt and authorise either these hir late Commisionars, or any others to mak answer before hir Majesty's Commissioners." <sup>56</sup>

(56) Cott. MSS. Calig. C. I. fol. 267. Anderson, IV. ii. 181. Goodall, II. 263. Leslie gives a somewhat different version :—" I haif deliberat, or she cum to my presens, to gif hir thré thingis in hir optione, quilks they sall declare unto hir. The first is, Quhiddir she will ansuer be yow hir Commissionaris, or ony uthers auctorized be hir thairto, befor my Commissionaris, of theis thingis quilks ar laid to hir charge.

" *Secondly*, Gif she will not do that, to ansuer herself be hir awin writing to the same.

" *Thirdlie*, Gif she thinks not that to be done, Lat hir ansuer to sum nobill men, quhome I sall send with commission to that effect, quha hes heird and ressonit the matter with the uther party And gif she will not ansuer be ane of thir wayis foirsaid, it will be thought alsmekill as she wer culpabill in the caus ; and in that caise I can not with my honour admit hir to my presens : And this is my determinat answer." *Goodall*, II. 260.

The answer decided upon in Privy Council is more explicit, and shows still more clearly the intention of Elizabeth.

" And therfor, if the sayd Bishop and his colleagues had not (as it is supposed) dissolved their commission by Scottish protestations, wherby they have not, as it is thought, now any authoritie to make answer thereto, they shuld be made privie to the sayd evidences and proofs, wherby hir Majestie might have of them some good answer, to the acquittal of the Quene of Scotts hir good sister, which hir Majesty wold be glad might be accomplished.

" And therefore wisheth that they wold advertise the Quene their Mistress of thus much ; and for whose purgation and acquital, hir Majesty will be both content and glad to receave from hir some good answer : For hir Majesty meaneth not to prejudice hir, how evident soever the allegations against hir seme to be, untill she shall answer the same, if so she will. But as for the demand lately made by them, to have hir come in person into the presence of hir Majesty, she cannot agree thereto, without open prejudice

Here, then, was the opening of another investigation, not, as some have supposed, a mere continuation of the former, but a totally distinct one; having reference solely to the charge against herself, just as the first had been instituted for the accusation of her rebels.

But what was the course of Mary when this request of Elizabeth was communicated to her, coupled with the strong assurance that she would never be allowed to come into the presence of her sister until she had removed the imputations upon her fame? Did she decline to accept either of the alternatives proposed? Did she, as Hume boldly asserts, "at the time when the truth could have been fully cleared, in effect ratify the evidence against her by recoiling from the inquiry at the very critical moment, and refusing to give any answer to the accusations of her enemies?"<sup>57</sup>

to her own honour, untill by some good answer the great and manifest presumptions that are now produced against hir, may be either clearly avoyded, or some wise qualefyed. And in the mean tyme, if it shall please hir to gyve authoritie to any hir Commissioners to answer the same, or otherwise to answer the same himself, before any to be appointed by the Quene's Majesty, or by any other mean, hir Majesty will be right glad thereof, and will for that purpose cause expedition to be made of any thyng therto requisit: And untill she may hear from hir, she will suspend hir judgment, and cause also all others hir Counsellors and Ministers, being privie hereunto, to do the lyke, and to kepe the same in silence."—*Minute of Dec. 13, 1568, at Hampton Court. Goodall, II. 253, 254.*

(57) Hume, V. 146.

Nothing can be imagined further from the truth than such a statement of her conduct ; for no sooner had the communication of the advice of Queen Elizabeth reached her, than she despatched a long and most forcible letter to her Commissioners, under her own hand, to be by them presented to the Queen : in which she averred that “ Forasmekill as the Erle of Murray and his adherentis our rebellious subjectis, have eikit unto thair pretendit excusis productit be thame for cullouring of thair horribill crymes and offences committit aganis us thair soverane Ladie and Maistres in sicklyke wordis, ‘ That as the Erle of Bothwell has bene the principal executor of the murthour commitit in the persoun of umquhile Hary Stewart our husband, swa we knew, counsallit, devysit, perswadit, and commandit the said murthour ;’ they have falselie, traitourouslie, and meschantlie lyed ; imputing unto us maliciouslie the cryme quhairof thamselvis ar authours, inventeris, doaris, and sum of thame proper executeris.”<sup>58</sup> And with regard to the letters, she soon afterwards directed them to “ require of our guid sister that copies be gevin zou thair of to the effect that thay may be answerit particularlie, that scho and all the world may knaw thay ar na less unshamefast and false liaris, and that be thair sa manifest unlauchful

(58) Cott. MSS. Titus, C. XII. Goodall, II. 285. Appendix P.

actiounis scho and all uther Christian Princes may esteme thame traitouris.”<sup>59</sup>

Then, indeed, did Elizabeth begin to quail before the proud unflinching innocence of Mary. She who had before condemned any compromise on the part of the Scottish Queen with her subjects as unworthy of the dignity of her “gude sister,”<sup>60</sup> now proposed the very course which she had before decried, and suggested “that it was best that sum appoyntment sould be maid betwix the Queene of Scotland, he guid sister, and her subjectis . . . and that scho . . . sould zield up the crown.”<sup>61</sup> But, now that the

(59) Cott. MSS. Titus, C. XII. Goodall, II. 298.

(60) “To the quhilkis petitiounis and articlis foirsaidis, the Quenis Majestie of Ingland gave answer, ‘That she culd not think thame guid nor trustie servandis nor counsallouris to hir guid sister, quha wald labour hir to appoint with hir subjectis at this present, séing thair unnatural behaviour shawin be thame in accusing of thair native Soverane: And thairfoir hir Majestie culd not think it might stand with hir honour to labour ony appointment amangis thame. Bot gif thay prufit not thair accusatioun quhilk thay had gevin in, thay suld smart for it.’”—*Minute of* Dec. 16, 1568, *Goodall*, II. 268.

(61) “The Quene’s Hienes proponit to the said Bishop of Ross ‘That it was best that sum appoyntment sould be maid betwix the Quene of Scotland, hir guid sister, and hir subjectis: And to the effect the said Quene may live in suretie in tyme cuming, and because it hes bein thought that scho mislykit hir subjectis, throw thair evill behaviour toward hir, and thay mislyke also hir government; it semit thairfoir maist meit and convenient, that scho, as being wearie of that realme, and government thairof, sould zield up the crown, and government thairof, and demit the samin in favouris of hir sone the Prince, but prejudice to return to hir agane, in cais of the deith of him, as God forbid; and scho in the

charge had gone forth against her, and her reputation was really at stake, nothing could move Mary to consent to such a course. In her noble answer to the proposal of Elizabeth—an everliving monument of the dauntless courage of conscious virtue—she says, “Quant a la demission de ma couronne, comm’avez escript, je vous prie de ne me plus empescher; car je suis resolve et deliberée plustost mourir, que de faire; et la derniere parole que je ferons en ma vie, sera d’une Royne d’Escosse;”<sup>62</sup> and while she recites other reasons connected with the state which show a degree of political foresight and wisdom, for which she has scarcely received credit, she glances at the effect which such a composition would have upon her honour and fame: “Estant les Commissionairs, d’une part et d’autre, assemblez en ce pais, sur les differences d’entre moy et aucuns de mes subjects, chacun tient l’œil à ceste heure ouvert sur l’issu de ceste convention, pour en faire jugement selon icelle, ou du droit, ou du tort des parties. Et s’il advient que, apres estre venue en ce royaume, demander secours et avoir faict plainct d’estre injustement expulsé de mon

mean tyme to remain in this realme of Ingland privatlie, and so the country sould be at ane quyetness.”—*Minute of Jan. 7, 1569.* Cott. MSS. Titus, C. XII. Goodall, II. 300.

(62) Paper Office. Goodall, II. 301; and a copy in Cott. MSS. Calig. B. IX.

royaume, je vienne ceder a mes adversaires tout ce qu'ils me scauroyent demander, que dira le commune, si non que jay esté mon juge, et que moy meme me suis condamnée? de quoy s'ensuivra, que tous les bruits, que l'on a fait courir de moy, seront tenus pour veritable et certains, et que je seray en horreur, specialment aux peuples de toute ceste isle."<sup>63</sup> When no charge had been given in, this noble woman evinced the utmost readiness to put an end to all discord between herself and her subjects by any accommodation which should be framed with justice to both parties; but now the case was altered; that honour, which she ever held dearer than her life, would be perilled by such a step; and her commissioners, instructed by her, made offer to defend her innocence if she might have "the writings producit be hir inobedient subjectis or at the leist the copies thair of;" and they declared that as soon as their Queen had received these "*scho would answer to the calumnious accusations of hir subjectis,*"<sup>64</sup> and alswa would accuse thame as principal authouris, inventaris, and executouris of that deid for the quhilk scho was falslie accusit be thame.<sup>65</sup>

(63) Paper Office. Goodall, II. 301.

(64) Nothing can be plainer than this, and yet Von Raumer says, in the face of this record, that "The request of the Commissioners did not imply a resolution to answer to the accusations." —*Elix. and Mary*, 156.

(65) Cott. MSS. Titus, C. XII. Goodall, II. 297.

But the demand for the originals was passed over unnoticed, and her Commissioners were informed that she could be permitted to have copies, only on the delivery of a written promise to answer then to the letters, without exception of any kind. Yet to do this was manifestly utterly impossible; and the promise could not have been complied with even if it had been rashly made; for the whole question resolved itself into one point—the forgery or genuineness of the letters in question; and this could obviously never be proved from anything but the originals themselves. If an individual in the present day were accused of any crime upon the authority of a paper which purported to be in his own handwriting, and the judge before whom he was arraigned were to hand him an engrossed copy of it, and desire him, as the only means of vindicating his fame, to prove the forgery from that; the injustice, nay, the flagrant absurdity, of the course would excite universal derision and contempt; yet Mary is expected by her adversaries in the present day to have been able to demonstrate that a letter was not penned by herself, from the mere inspection of a copy written by a clerk, and is condemned as guilty because she was not mad enough to attempt such an utter impossibility. How dark must be the prejudice which can induce blindness such as this!



On the 10th of January, 1568, long after the letters had been produced before Elizabeth, and when all the evidence which Murray could adduce had been brought forward, and dwelt upon with all the force which the eager malignity of his zeal against his Queen could dictate, he and his adherents were called into the presence of the Council, and there the solemn judgment of Elizabeth on what had hitherto transpired, was delivered by Sir William Cecil, her principal Secretary of State. And this decision was, not that the proofs which had been produced were so all-sufficient that not a doubt could remain of assertions supported by such clear and irrefragable evidence,—but that “thair had bene nathing sufficientlie productit nor schawin be thame aganis the Quene thair Soverane quhairby the Quene of England sould conceave or tak ony evil opinioun of the Quene hir guid sister for ony thing zit sene;”<sup>66</sup> and thus the innocence of Mary and the utter insufficiency of the proofs against her is proved by the verdict of her bitterest foe. Thus, too, the declarations of Fenelon, with which his despatches at this period are filled, that Elizabeth constantly professed “that she did not believe any part of what was alledged against her good sister;”<sup>67</sup> the statement of Craufurd, that the calumnies

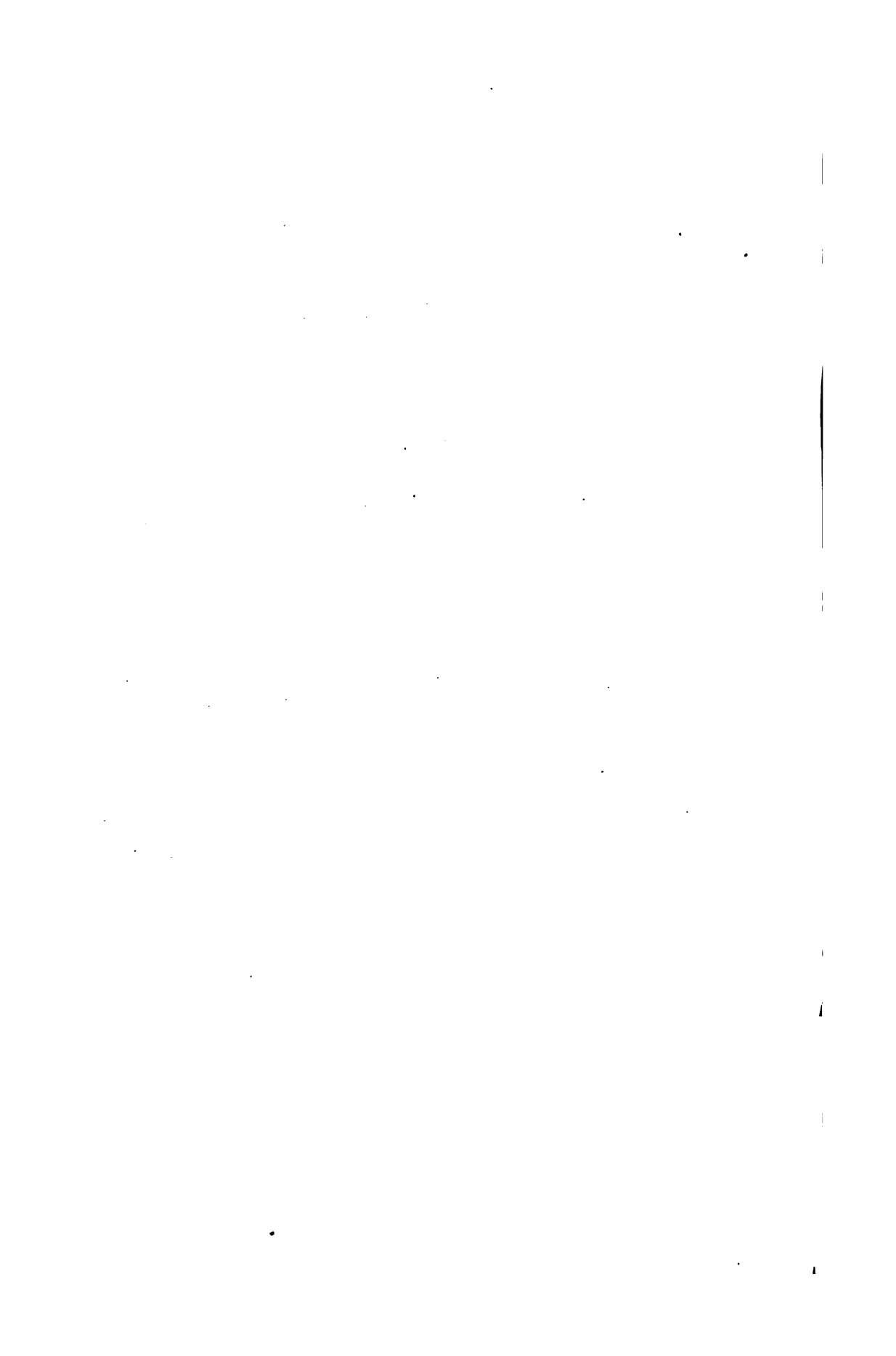
(66) Cott. MSS. Titus, C. XII. Goodall, II. 305.

(67) Depeche, Jan. 20, Carte, III. 477.

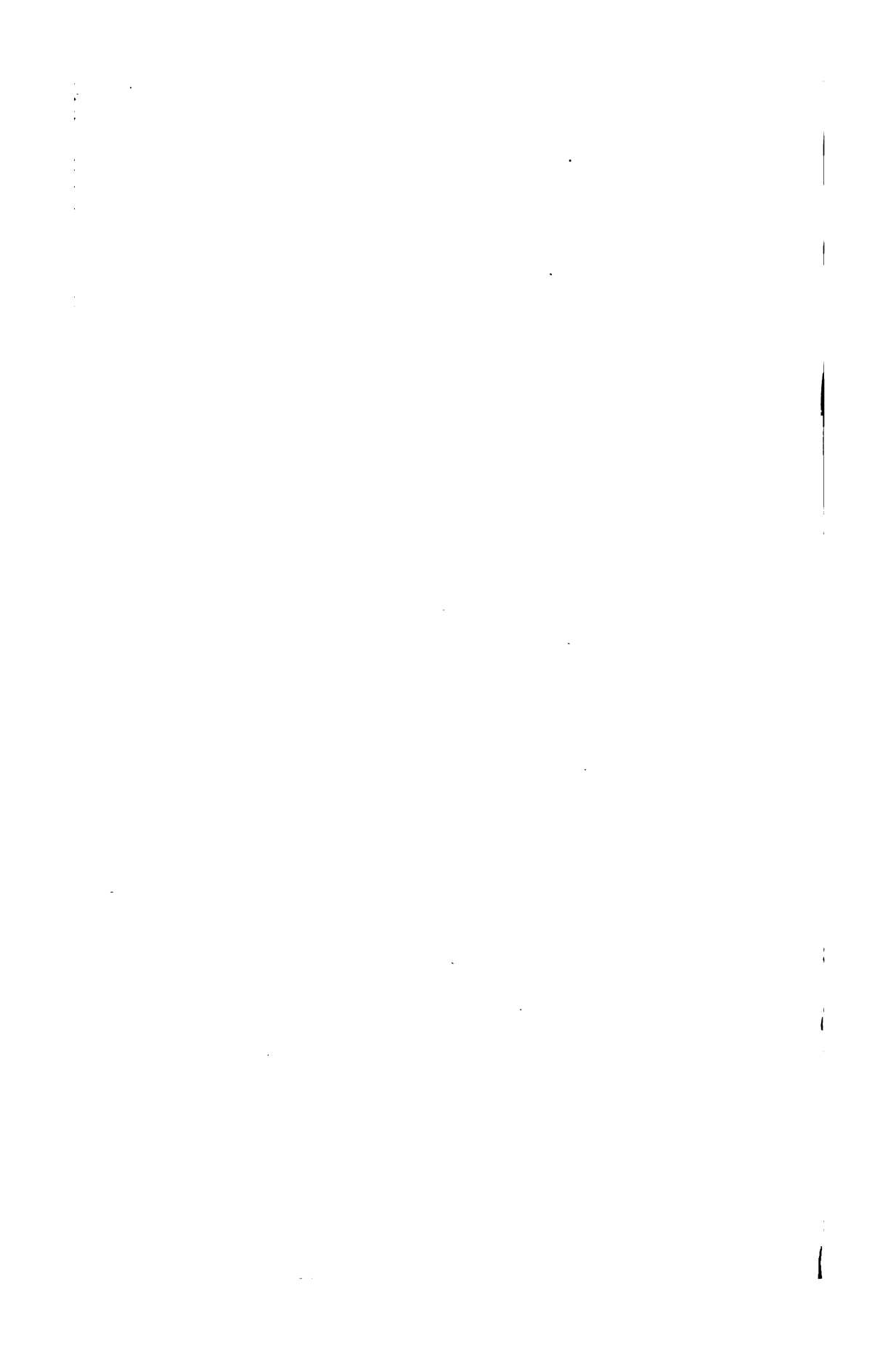
found but little credit with the Queen of England or her Commissioners ;<sup>68</sup> and, above all, the most important testimony of Camden, that " Queen Elizabeth scarcely gave credit to them (the letters), though there was between them a womanish emulation . . . . and she held it sufficient that by means of these accusations some scandall should sticke upon the Queene of Scots,"<sup>69</sup> are all confirmed in the fullest manner by the public and official declarations of Elizabeth herself. And he must indeed be hardy who shall venture to urge this charge against Mary when a confession of the insufficiency of the evidence by which it was supported was thus reluctantly drawn from the lips of her most deadly foe.

(68) Craufurd, 114.

(69) Camden, I. 117.



## APPENDIX.



## A P P E N D I X.

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### APPENDIX A.—PAGE 97.

#### *“ Bond of Assurance for the murder of David Riccio.*

“ Be it known to all men by these present letters: We HENRIE, by the grace of God, King of Scotland, and husband to the Queen’s majesty; For as much as we, having consideration of the gentle and good nature, with many other good qualities in her Majesty, we have thought pity, and also thinks it great conscience to us, that are her husband, to suffer her to be abused by certain privy persons, wicked and ungodly, not regarding her Majesty’s honour, ours,\* the nobility thereof, nor the commonweal of the same, but seek their own commodity and privy gains, especially an stranger Italian, called David; which may be the occasion of her Majesty’s destruction, ours,\* the nobility, and common weal of the same; without hasty remedy be put thereunto, which we are willing to do; and, to that effect, we have devised to take these privy persons, enemies to her Majesty, us, the nobility, and commonweal, to punish them according to their demerits; and, in case of any difficulty be to call † them

“ \* Some words seem to be wanting here in all my three copies.

“ † *Al.* In case of any difficulty, to cut them off immediately, and slay them, &c.

IMMEDIATELY TO TAKE THEM AND SLAY THEM, WHERESOEVER IT HAPPENETH.

"And because we cannot accomplish the same, without the assistance of others, therefore we have drawn certain of the nobility, earls, lords, barons, freeholders, gentlemen, merchants, and craftsmen, to assist us in this our enterprize, which cannot be finished without great hazard.\* And because it may chance that there be SUNDRY GREAT PERSONAGES present, who† may make them to gainstand our enterprize, wherethrough SOME OF THEM MAY BE SLAIN, and in like ways of ours; wherethrough a perpetual feed may be contracted betwixt the one party and the other; Therefore we bind and oblige us, our heirs and successors, to the said earls, lords, barons, freeholders, gentlemen, merchants, and craftsmen, their heirs and successors, that we shall accept the same feed upon us, and fortify and maintain them, at the uttermost of our power; and shall be friends to their friends, and enemies to their enemies; and shall neither suffer them nor theirs to be molested nor troubled in their bodies, lands, goods, rooms, or possessions, so far as lieth in us. And if any person would call any of the said earls, lords, barons, freeholders, gentlemen, merchants, or craftsmen, for enterprising or assistance with us, for atchieving of our purpose, BECAUSE IT MAY CHANCE TO BE DONE IN PRESENCE OF THE QUEEN'S MAJESTY, OR WITHIN HER PALACE OF HOLY-ROOD-HOUSE, we, by the word of a Prince, shall accept and take the same on us, now as then, and then as now; and shall warrant and keep skaithless the aforesaid earls, lords, barons, freeholders, gentlemen, and craftsmen, at our uttermost power. In witness whereof, we have subscribed these presents with our hand. At Edinburgh, this first ‡ day of March, the year of God 1565."

\* *Al.* hurt.

† *Al.* which.

‡ *Al.* fifth.

## APPENDIX B.—PAGE 117.

“Certain ARTICLES to be fulfilled by JAMES EARL OF MURRAY, ARCHIBALD EARL OF ARGYLE, ANDREW EARL OF ROTHES, ROBERT LORD BOYD, ANDREW LORD OCHILTREE, and their Accomplices, to the noble and mighty Prince HENRY King of Scotland, Husband to our sovereign Lady. Which articles the said persons do offer with the greatest humility, lowliness, and service to the said noble Prince : For whom to God they pray!

“IN PRIMIS, The said Earls, Lords, and their accomplices shall become, and, by the tenor hereof, do become true subjects, men, and faithful servants to the noble and mighty Prince HENRY, by the grace of God, King of Scotland, and husband to our sovereign Lady; that they, and all others who will do for them, shall take a leel part in truth with the said Prince, in all his affairs, causes, and quarrels AGAINST WHOMSOEVER IT BE, to the uttermost of their powers; and shall be friends to his friends, and enemies to his enemies; and neither spare their lives, lands, goods, or possessions.

II. Item, The said Earls, Lords, and their accomplices, shall, at the first Parliament, or other parliaments that shall happen to be, after their returning within this realm, by themselves, and others, that have voice in parliament, consent, and by these presents do consent, now as then, and then as now, to grant and give the crown matrimonial to the said noble Prince, for all the days of his life. And if any person or persons do withstand or gainsay the same, the said Earls, Lords, and their accomplices, shall take such part as the said noble Prince takes, in what sort soever it be, for obtaining of the said crown, against all and whosoever that live or die may; as shall best please the said noble Prince.

III. Item, The said Earls, Lords, and their accomplices, shall fortify and maintain the said noble Prince, in his just



title to the crown of Scotland, failing of succession of our sovereign Lady ; and shall justify and set forward the same at their uttermost power. And if any manner of person will usurp or gainsay the said just title, the said Earls, Lords, and their accomplices, shall maintain, defend, and set forward the same, as best shall please the said noble Prince, without fear of life, or death : And shall seek and pursue them that usurp, as shall please the said noble Prince to command ; to extirpate them out of the realm of Scotland, or TAKE AND SLAY THEM.

“ IV. Item, As to the religion which was established by the Queen's Majesty, our sovereign Lady, shortly after her arrival in this realm, whereupon acts and proclamations were made, and now again granted by the said noble Prince to the said Earls, Lords, and their accomplices ; they, and every one of them, shall maintain and fortify the same, at their uttermost power, and by the help, support, and maintenance of the said noble Prince. And if any person or persons will gainsay the same, or any part thereof, or begin to make any troubles, tumult, or uproar for the same, the said Earls, Lords, and their accomplices shall take afield, true and plain part with the said noble Prince, against the said contemners, or usurpers, at their uttermost.

“ V. Item, As they are become true subjects, men, and servants to the said noble Prince, so shall they be leel and true to his Majesty, as it becometh true subjects to their own natural Prince ; and, as true and faithful servants, serve their good master, with their bodies, goods, lands, and possessions ; and shall neither spare life nor death in setting forward all things that may be to the advancement and honour of their noble Prince.

“ VI. Item, The said Earls, Lords, and their accomplices, shall labour at the Queen of England's hands, for the relief of the said Prince's mother and brother, by themselves, and such others as they may procure, to the uttermost of their powers, that they may be relieved out of ward, to remain in England freely, or to repair into Scotland, as they shall think most

expedient, without let or impediment to herself, her son, their servants, or moveables.

VII. Item, The said Earls, Lords, and their accomplices, shall labour by themselves, and others that will do for them, at the Queen of England's hands, that the said noble Prince may have her kindness, goodwill, and assistance, in all his Majesty's honourable and just causes, against whatsoever foreign prince who shall molest or vex him."

"Buchanan, Melvill, and Spottiswood are very full in praise of Murray, for piety, moderation, and other virtues: But this paper shows his true character. No man who had the least humanity about him, would have engaged to murder innocent people in cold blood, as he and his associates do here.

"In return for all these mighty promises and undertakings, the young King came under the following obligations to these rebels (*Goodall*, I. 230):—

"Certain ARTICLES to be fulfilled by the noble and mighty Prince HENRY, KING OF SCOTLAND, husband to our sovereign Lady, of his Majesty's mere mercy, clemency, and goodwill, to JAMES EARL OF MURRAY, ARCHIBALD EARL OF ARGYLE, ALEXANDER EARL OF GLENCAIRN, ANDREW EARL OF ROTHES, ROBERT LORD BOYD, ANDREW LORD STEWART OF OCHILTREE, and certain others remaining in England.

"I. First, The said noble Prince shall do his goodwill to obtain to them a remission, if they require the same, for all faults, or crimes, bypast, of whatever quality or condition they be: And if that cannot be obtained at the first time, he shall persevere in suiting of the same, until it be obtained; and at the last, shall give them a free remission for all crimes, so soon as we are placed, by their help and supply, to the crown matrimonial: And, in the mean time, shall stop and make impediment, so much as lieth in us, that they be not called nor accused for whatever crime: And presently freely

remit and forgive the aforesaid Earls, Lords, and their accomplices, all crimes committed against us, of whatsoever quality or condition they be; and do bury and put the same in oblivion, as they had never been; and shall receive them, at their returning, thankfully, and with heartiness, as others our true and faithful subjects.

II. Item, We shall not suffer, by our good wills, the aforesaid Earls, Lords, and their accomplices, to be called, or accused in parliament, nor suffer any forfeiture to be led against them, but shall stop the same, to our uttermost power. And if any person or persons pretend otherwise, we shall neither consent to the holding of the parliament, nor yet shall grant to their forfeiture willingly, but shall lett \* the same to our uttermost power, as said is.

“ III. Item, That the said Earls, Lords, and their accomplices, returning within the realm of Scotland, we shall suffer and permit them to use and enjoy all their lands, tacks, steedings, benefices, that they, or any of them, had before their passing into England. And if any manner of person do make impediment in the peaceable enjoyment and brooking of the said lands, steedings, benefices, tacks, rooms and possessions, the same being made known unto us, we shall fortify and maintain them, to the uttermost of our powers, for the obtaining of the same.

“ IV. Item, As to the said Earls, Lords, and their accomplice's religion, we are content and consent that they use the same, conform to the Queen's Majesty's articles and proclamation made thereupon, shortly after her highness's return out of France. And if any person or persons pretend to make impediment thereto, or to trouble them for using the same, we shall take part with the aforesaid Earls, Lords, and their accomplices, at our uttermost powers; and after their returning, upon their good bearing and services to be done to the said noble Prince, shall, by their advice, consent to the establishing

\* i. e. stop.

of the religion now possessed ; and shall concur with them, if any person do withstand them.

“V. Item, We shall fortify and maintain the said Earls, Lords, and their accomplices, as a natural Prince should do to his true and obedient subjects, and as a good master should fortify and maintain his true and natural servants, against whomsoever, in all their just causes and quarrels.”

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APPENDIX C.—PAGE 135.

“THE PROTESTATIOUN OF THE ERLIS OF HUNTLEY AND ARGYLL, TOUCHING THE MURTHOUR OF THE KING OF SCOTTIS.

*A Copy. Cot. Libr. Cal. C. I. fol. 282.*

“We George Erle of Huntley, Lord Gordoun, and great Chancellour of Scotland, and we Archibald Erle of Ergile, Lord Campbell and Lorne, and greit Justiciar of the said realme ; It mott be kend till all and sindrie [to] quhais knowledge thir presentis sall cum, how we (being informit that sum disobedient subjectis to the Quene’s Majestie our soverane Lady, for excuse and covering of thair taking armour aganis hir Hienes, imprisoning of hir maist nobill persoun, usurping of hir Grace’s auctoritie, practising the keiparis of the principal places and fortressis of hir realme, invading thair of, reiving and spuilzeing hir Majestie’s pretious movabillis, jewellis, and stanes of greit valour, durst, in lying falsly and calumniously, accuse hir Hienes to have bene of the foirknowledge, counsallit, devysit, perswadit, and comandit the murthour committit in the persoun of umquhile Henry Stewart, hir Majestie’s husband) will, for the dewtie of guid and faithful subjectis, and discharge of our consciences afor God and the warld, declair that quhilk we knaw of the said murthour. That is to say,

“In the zeir of God 1566 zeiris, in the moneth of December,

or thairby, efter hir Hienes's greit and extreme seiknes, and retourning from Jedwart, hir Grace being in the castel of Craigmillar, accompanyit be us abone written, and be the Erlis of Bothwell, Murray, and Secretaire Lethingtoun; the said Erle of Murray and Lethingtoun came in the chamber of us the Erle of Ergile in the morning, we being in our bed; quha 'lamenting the banishment of the Erle of Mortoun, Lordis Lyndsay and Rowen (? Ruthven), with the rest of thair factioun, said, That the occasioun of the murthour of David, slane be thame in presence of the Quene's Majestie, was for to troubill and impesche the parliament; quhairin the Erle of Murray and utheris sould have bene foirfaltit, and declarit rebellis. And séing that the samin was cheiffie for the weilfare of the Erle of Murray, it sould be estemit ingratitude gif he and his freindis, in reciproque manner, did not interpryse all that wer [in thair] puissance for releif of the saidis banishit; quhairfoir thay thocht, that we, of our part, sould have bene as desyrous thairto as thay wer.'

"And we agréing to the same, to do all that was in us for thair releif, provyding that the Quene's Majestie sould not be offendit thairat: On this Lethingtoun proponit and said, 'That the narrest and best way till obtene the said Erle of Mortoun's pardoun, was, to promise to the Quene's Majestie to find ane moyen to mak divorcement betwix hir Grace and the King hir husband, quha had offendit hir Hienes sa hielie in mony wayis.'

"Quhairunto we answering, That we knew not how that myght be done; Lethingtoun said, the Erle of Murray being ever present, 'My Lord, Cair zou not thairof. We sall find the meane weill aneuch to mak hir quite of him, swa that ze and my Lord of Huntlie will onlie behald the matter, and not be offendit thairat.'

"And then thay send to my Lord of Huntlie, praying him to cum to our chalmer.

"This is as thay dealit with us particularlie. Now lat us schaw quhat followit efter that we wer assemblit.

“ We Erle of Huntlie being in the said chalmer, the saidis Erle of Murray and Lethingtoun oppinit the matter lykwise to us in manner foirsaid, promising, if we wald consent to the samin, that they sould find the mean to restoir us in our awin landis and offices, and thay to stand guid freindis unto us, and cause the said Erle of Mortoun, Rowen, and all the rest of that cumpanie, to do the like in time cuming. Our answer was, it sould not stop be us, that the matter cum not to effect, in all myght be proffitfull and honorabill baith for thame and us, and speciallie quhair the pleasour, weill and contentment of the Quene’s Majestie consistit. And thairon we four, viz. Erlis of Huntlie, Ergile, Murray, and Secretaire Lethingtoun, past all to the Erle of Bothwell’s chalmer, to understand his advice on thir thingis proponit; quhairin he ganesaid not mair than we.

“ Swa thairefter we past altogidder towardis the Quene’s Grace; quhair Lethingtoun, efter he had remembrit hir Majestie of ane greit nombre of grievous and intollerabill offences, that the King, as he said, ingrait of the honour ressavit of hir Hienes, had done to hir Grace, and continewing everie day from evil to worse; proponit, ‘ That gif it pleisit hir Majestie to pardoun the Erle of Mortoun, Lordis Rowen and Lindsay, with thair cumpanie, thay sould find the meanis with the rest of the Nobilitie, to mak divorcement betwix hir Hienes and the King hir husband, quhilk sould not neid hir Grace to mell thairwith. To the quhilk it was necessare, that hir Majestie tak heid to mak resolutioun thairin, als weill for hir awin easement als weill of the realme; for he troublit hir Grace and us all; and remaining with hir Majestie, wald not ceis till he did hir sum uther evil turn, quhen that hir Hienes wald be mekil impeschit to put remeid thairto.’

“ Efter thir persuasiounis, and utheris divers, quhilk the said Lethingtoun usit, by\* these that everie ane of us schew particularlie to hir Majestie to bring hir to the said purpois,

\* Besides.

hir Grace answerit, ' That under twa conditionis scho myght understand the samin; the ane, that the divorcement wer maid lauchfullie; the uthir, that it war not prejudice to hir sone; utherwayis hir Hienes wald rather endure all tormentis, and abyde the perrellis that myght chaunce hir in hir Grace's lyfyme.' The Erle of Bothwell answerit, ' That he doutit not bot the divorcement myght be maid but prejudice in ony wayis of my Lord Prince; ' alledging the exampill of himself, that he ceissit not to succedd to his father's heritage without ony difficultie, albeit thair was divorce betwixt him and his mother.

" It was alswa proponit, that efter thair divorcement the King sould be him allane in ane part of the countrey, and the Quene's Majestie in ane uther, or ellis he sould reteir him in ane uther realme; and heiron hir Majestie said, ' That peradventure he wald change opinioun, and that it wer better that scho himself for ane tyme passit in France, abyding till he acknowledgit himself.' Then Lethingtoun taking the speache, said, ' Madame, Fancie ze not we ar heir of the principal of zour Grace's nobilitie and counsal, that sall fynd the moyen, that zour Majestie sall be quyte of him without prejudice of zour sone. And albeit that my Lord of Murray heir present be lyttill les scrupulous for ane Protestant, nor zour Grace is for ane Papist, I am assurit he will luik throw his fingeris thairto, and will behald our doingis, saying nathing to the samin.' The Quene's Majestie answerit, ' I will that ze do nathing quhairthro ony spot may be layit to my honor or conscience, and thairfoir I pray zou rather lat the matter be in the estait as it is, abyding till God of his guidnes put remeid thairto; that ze beleifing to do me service may possibill turn to my hurt and displeasour.' ' Madame, (said Lethingtoun,) ' lat us guyde the matter amangis us, and zour Grace sall sé nathing bot guid, and approvit be parliament.'

" Swa efter the premissis, the murthour of the said Henry Stewart following, we judge in our consciences, and haldis for certane and treuth, that the saidis Erle of Murray and

Secretarie Lethingtoun wer auctoris, inventaris, devyseris, counsallouris, and causeris of the said murthour, in quhat maner, or be quhatsumever persounis the samin was execute.

“ And quhair the saidis Erle of Murray and Lethingtoun, or ony of thame, will deny and ganesay to the foirsaid, we ar deliberat to defend the samin be law of armis, as our awin proper honour, in quhatsumever place thay will cheise in Scotland, afoir the estaitis thairrof; out of the quhilk realme we cannot pass, be ressoun of the troubillis ar thairintill. And gif the Quene's Majestie of Ingland pleisis to send ony in hir name, to heir and sé the premissis defendit, the samin sall be put to executioun in thair presence. And albeit that Lethingtoun be nouthur of qualitie nor blude equal unto us, notwithstanding we will admit and ressave him in combat with the said Erle of Murray, gif thay will baith present thameselfis thairto. And quhair ane of thame onlie wald deny and ganesay it that is afoir rehersit, and accept the said combat, outhur the ane or the uthur of us sall ressave the samin; protesting that gif thay answer not directlie to this our present attestatioun, declaratioun, accusatioun and cartell, thay sall be repute guiltie and vainquissit of the said murthour. In witness of the quhilk we have subscrivit thir presentis with our handis, and seillis of our armis affixit thairto, at the day of and at the day of the said moneth, the zeir of God ane thousand, fyve hundred, threscoir aucht zeiris, and of our soverane Lady's Regime the xxvij. zeir.”

Although Dr. Robertson has studiously omitted all mention of the proceedings at Craigmillar in his very partial history, yet he has, in his Dissertation on the Murder of King Henry, honoured with a notice the declaration of the Earls of Huntly and Argyle, on which this narrative is based; and he has there attempted to prove that this paper was never subscribed, or even seen, by the noblemen whose name it bears, by showing, what every one admitted before, that the



copy which we have is not the original ; and by attempting to show that it was a copy which the Queen's secretary had written and sent to these peers for signature, but which was intercepted and forwarded to Cecil.

Now, in opposition to this somewhat loose system of reasoning, I may venture to put forward a few testimonies of a somewhat positive nature, which will at any rate prove that a declaration, corresponding to the copy in the Cotton Library, was signed by the Earls of Huntly and Argyle, and forwarded to the Court of Queen Elizabeth.

1. Camden—whose annals of the reign of Elizabeth are of an authenticity beyond the reach of doubt, and who enjoyed, in the compilation of his history advantages which few writers have commanded before or since—gives us a summary of this declaration, which corresponds with the copy named ; and he speaks of it as “ a writing *under their own hands* to Queen Elizabeth, *which I have myself seen.*”—(Camden, I. 93.)

2. The Earl of Murray, whose honour is so deeply implicated by the statements in this paper, had seen it and thought it worthy of an attempt at refutation. On the back of the copy of the declaration is pasted a document signed by his own hand, in which he vaguely denies the truth of the charge against him, but in a manner which evidently shows either that he had seen the protestation of the Earls, or that he had a prophetic knowledge of its exact contents.

“ ANE ANSWER BY THE EARL OF MURRAY REGENT, TO THE PROTESTATION OF THE EARLS OF HUNTLY AND ARGYLL.

*An Original. Pasted on the back of the protestation.*

“ BECAUSE the custume of my adversaris is, and has bene, rather to calumpniat and backbite me in my absence, than befoir my face ; and that it may happen thame, quhen I am departit furth of this realme, sclanderouslie and untrewlie to report untreuthis of me, and namelie, towardis sum spechis haldin in my hearing at Craigmillar, in the moneth of November, 1566, I have alreddie declarit to the Quene's Majestie

the effect of the haill purposis spokin in my audience at the samin tyme, sincerelie and trewlie, as I will answer to Almychtie God, unconceilling ony part to my remembrance, as hir Hienes I traist will report. And farther, in cais ony man will say and affirm that ever I was present quhen ony purposis wer haldin at Craigmillar in my audience, tending to ony unlauchful or dishonorabill end, or that ever I subscrivit ony band there, or that ony purposis was haldin anent the subscriving of ony band be me, to my knowledge; I avow thay speik wickitlie and untrewlie, quhilk I will mantene aganis thame, as becumis ane honest man, to the end of my lyfe; onlie this far the subscription of bandis by me is trew, That indeed I subscrivit ane band with the Erlis of Huntlie, Ergile, and Bothwell, in Edinburgh, at the beginning of October the samin zeir 1566, quhilk wes devysit in signe of our reconciliation, in respect of the former grudges and despleasouris that had bene amangis us; quhairunto I was constraint to mak promise befor I could be admittit to the Quene's presence, or have ony schew of hir favour; and thair wes never na uther band ather maid or subscrivit, nor zit proponit to me in ony wayis, befor the murthour of umquhile the King, father to the King, now my Soverane: Nouthur zit, efter the murthour, wald I ever, for ony persuasioun, agré to the subscription of ony band, howbeit I was earnestlie urgit and pressit thairto be the Quene's commandment.

" This far I thocht guid to put in write, and leif behind me, in cais (as I have befor said) my adversaris, in my absence, hald speche, and report untrew matteris of me, to my dishonour or disadvantage.

" Subscrivit with my hand at London the nyntene day of Januar, 1568.

" JAMES REGENT."

" Below is written in Secretary Cecil's hand, thus;

" 19 Januar, 1568.

*An answer of the Erle of Murray, to a wryting of the Erle of Huntly and Argyll."*

And Murray would never have taken this trouble, had not the charge appeared in an authentic and subscribed form.

3. Cecil, among whose papers both these documents were, has pasted the one to the other, and has endorsed the document signed by Murray: "Answer of the Earl of Murray to a writing of the Earls of Huntly and Argyle." Would he have called it a writing of the Earls of Huntly and Argyle, if he knew that there was not in existence any copy signed by them, and that the only copy that had ever been penned had never met their eyes?

These facts seem to me to prove very clearly that there was once in existence an original of this important declaration, signed by the two earls themselves, and that this document had been sent to the English Court. And to argue against such evidence as this, that because we have not the original now, therefore it never existed, is to give birth to a precedent which would very soon destroy the larger portion of those authorities which must ever form the ground-work of authentic history.

The general facts in the declaration derive confirmation from several sources.

1. The Spanish ambassador, writing about this time to his own Court, says of Mary, that "many had sought to engage her in a conspiracy against her husband, but that she gave a negative in every point."\*

2. In the instructions to Mary's Commissioners at the conference at London,† which were signed by seventeen of the highest peers of Scotland, among whom were Huntly and Argyle, dated the twelfth of September, 1568, it is averred, with regard to the men who were then accusing her, that "hearing of the young behaviour through foolish council of her said husband, they caused make offers to our said Sovereign Lady of her Grace would give remission to them that were banished at that time, to find causes of divorce, either for

\* *Memorias*, 319, apud Lingard, VII. 360, note.

† Goodall, II. 354.

consanguinity, \* \* \* or else for adultery ; or then to get him convicted of treason, because he consented to her Graces retention in ward ; \* \* \* which, altogether, her Grace refused, as is manifestly known.”\*

Thus, then, the main facts contained in the disputed paper are avouched by the highest authority, even if that document should be considered unworthy of reliance. But its authenticity seems to me to stand on too high a ground to be shaken by the cavils of adverse historians, with whose historical systems its details cannot easily be brought to agree, and to whom, therefore, its destruction is a matter of extreme delight.

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APPENDIX D.—PAGE 135.

Dr. Robertson disputes this fact, because it is not found in the Earl of Bedford's public instructions. But with regard to this it may be observed—

I. On a former occasion, Elizabeth had sent to Mary one Tamworth, to remonstrate with her on her marriage with Darnley, after that event had taken place. That envoy expressly refused to allow to Darnley the royal title, and went so far as to refuse to accept a passport, because it was signed by him as king. Being destitute of such a protection, he was taken and imprisoned ; but Elizabeth assumed the responsibility for his conduct, by remonstrating, through the Resident, Randolph, against his detention. Yet in Tamworth's public instructions no such direction appears.

II. After the death of Darnley, the English Queen did not

\* Goodall, II. 359, and also Buchanan apud Anderson, II. 13. See also Leslie, 15, apud Anderson, I.

acknowledge him to have been king. During his whole life, she had treated him as her subject; and when she wrote to Mary concerning the trial of Bothwell, she calls the late King "le mort gentilhomme."<sup>\*</sup>

III. While the Conferences in England were in progress, there was a very marked difference in the manner in which Darnley was spoken of by the various parties. The Scotch always called him "the late King;" but the English Commissioners denominated him "Henry Stuart, the Queen of Scotland's husband."<sup>†</sup>

The general practice of Elizabeth, therefore, was to refuse the royal title to him; and we are perfectly justified in concluding that she did not depart from her universal rule on this occasion, unless some peculiar exception be shown in the instructions; and none such can be found in that document. The authority, therefore, of Camden, who compiled his Annals from Burleigh's own papers, and under his direction,<sup>‡</sup> and whose assertion would be alone sufficient to outweigh much conjecture, remains unimpeached.

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#### APPENDIX E.—PAGE 150.

The critical reader will perceive that I have not availed myself, in the composition of my narrative, of the Confessions of Nicholas Hubert, or Paris, as he is generally called; and it is necessary that I should explain my reasons for their rejection. They are of two sorts: connected with the history of their assumed author, and with their own contents.

1. When Murray had been accused, by the Commissioners of Mary, of the murder of the King, and had departed into

<sup>\*</sup> Goodall, I. 352. Robertson, II. 437.      <sup>†</sup> Goodall, II. 307.

<sup>‡</sup> Camden, Address to the Reader.

Scotland, chance threw into his hands this Paris, who could, according to the statement of the Earl, entirely exonerate him by showing the guilt of the Queen. Yet he cast him into prison, and, some time afterwards, put him to death, without a public trial.

2. Paris, at his death, denied his own guilt,\* as well as that of the Queen.† Yet he would not have done this, if he had before made confession of the guilt of both.

3. Beyond this confession of his own, we cannot perceive that there was any evidence against him; and he would scarcely have confessed a crime for which he would inevitably die, and of which there was no proof before. Dr. Robertson suggests that torture was used;‡ but of this there is no proof; and the confessions themselves are far too easy in style to have proceeded from a tortured man.

4. These alone, of all the confessions extant, have no marks of judicial authority; since the rest have the names of the judges before whom they were taken, and are attested by the Justice Clerk, while these are authenticated only by the signature of Alexander Hay—a tool of Murray's, and the Clerk of his Secret Council. Mr. Turner, speaking of the confession of the 10th of August, says, that it was made “at St. Andrew's, in the presence of the celebrated G. Buchanan, John Wood, Senator of the College of Justice, and Robert Ramsay, writer of his declaration, and servant to the Earl of Murray.”§ He does not favour us with his authority, and we can, therefore, only attack his facts. Now, in the British Museum is the only manuscript copy we have of this confession; and it is certified by Alexander Hay, and begins thus:—“A Sanctandre le 10 jour d'Aoust, 1569 Nicholas Howbert dict Paris a esté interrogué sur les articles et demands qui s'ensuivent, &c. et premièrement,” &c.|| Here there is no sign of the fact

\* Crauford's Memoirs, 127.

† Leslie, apud Anderson, I. pt. ii. 19, 76.

‡ Robertson, II. 341.

§ Turner's Modern Hist. of Eng. IV. 101, note 6.

|| Goodall, II. 76. Cott. Cal. C. I. f. 318.

averred by Mr. Turner ; and that Buchanan had never seen this confession, and, consequently, that he was not present when it was made, is obvious from the fact that he never mentions or alludes to its existence in that history, in which he leaves no argument unemployed which can tend to the injury of Mary.

But the contents furnish a far more fertile, though not more certain, field of objection.

1. In one of these documents there is inserted a passage of fulsome flattery to Murray, eulogizing the happy state of the nation when he ruled, before the accession of Mary.\* Now Paris was in France, with Bothwell, during the whole of that period, and, consequently, could have known nothing about it.

2. It is curious that Maitland and Balfour are accused of a participation in the murder, for the first time, in one of his confessions. And the fact becomes much more singular, when it is considered that, before this, these two men had been in the favour of Murray ; but about the time when the confession purports to be made, a quarrel had arisen between them. The coincidence is at least remarkable.

3. The Earl of Murray is spoken of as beloved by all Frenchmen. Now he was at the head of that party which endeavoured to extirpate the French from Scotland.

4. The details which Paris is made to give of his intercourse with the Queen, are so barefaced and vile, that no one can for a moment credit their truth. He tells us that he went in and out of her room in the middle of the night, while she was in bed, and breakfasted in her sleeping apartment ; and that on one occasion she rose, and dressed herself before him, he being, be it remembered, the groom of her chamber. Surely it is scarcely possible to believe that Mary pursued a course of conduct such as this !

5. In one of the statements, Paris declares, that, on the 26th of January, he delivered a letter from the Queen to

\* See it in Goodall, I. 141.

Bothwell, in Edinburgh, and received from him a verbal answer to it; and this is detailed with a decision which shows that it was by no means a matter of doubt in his mind. But we learn from the journal which was given in by the rebels themselves, that Bothwell left Edinburgh for Liddesdale on the evening of the 24th of January, and did not return until the 28th;\* and it is, therefore, of course, impossible that the statement should be true. Chronological detections such as this are by far the most valuable that can be afforded, since they are certain and incontrovertible, and, at the same time, afford the strongest evidence of fraud and fabrication. And this very striking discrepancy between the statement in the confession and the actual fact, as recorded in the journal, appears to me to be sufficient, apart from any other evidence, external or internal, to set the seal of forgery on the paper, and to prevent those who really seek for truth from placing any reliance on its statements.

6. One confession contains a statement which is obviously false; and is proved so by every species of testimony. He is made to tell us that the powder with which the house was blown up, was laid in bags on the floor of the Queen's apartment; but the effects of the explosion could be produced only by a mine; and that such a mine was dug is admitted by all modern writers, is stated by Buchanan, and was set forth in the indictment of the Earl of Morton for the murder; and thus the confession is convicted of one manifest perversion of truth.

7. Dr. Robertson, who seems to believe in the authenticity of these papers, yet admits that parts of them are false.† And when even the advocate of a document is compelled to concede this, it becomes a matter of such extreme difficulty to discriminate between the true and false portions, that, in an historical point of view, it is utterly worthless; and, legally, the falsehood of one portion utterly nullifies the whole.

\* Murray's Diary, apud Anderson, II. 272.

† Robertson, II. 341.



Those who wish to investigate this point further, will find the first confession of Aug. 9, in Goodall, I. 137, and Anderson, II. 192—205; and the second in Goodall, II. 76. But, I trust that I have said enough here to justify myself in rejecting them as authorities for the formation of my narrative of the murder.

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APPENDIX F.—PAGES 177, 179, 375.

“BAND MADE BY A NUMBER OF THE NOBILITY IN FAVOUR OF THE  
EARL OF BOTHWELL 19 APRIL 1567.

*A Copy, from the Cotton Library. Calig. C. I. fol. 1.*

“WEE undersubscribeand understanding, that altho' the nobill and mightie Lord James Erle Bothwell, Lord Halis, Creightoun, and Liddesdaile, Great Admirall of Scotland, and Lievetennent to our Soverane Lady ouer all the marches thairof, being not onlie bruitit and calumniat be Placartes privilie affixit on the publick Places of the Kirk of Edinburgh, and utherwayes sklanderit be his evill willaris, and privie Enymeis, as airt and pairt of the haynous murthour of the King, the Quene's Majesteis lait husband, but also be speciall letteris sent to her Hienes be the Erle of Lennox, and delaitit of the samyne Cryme, quha in his Letteris earnestlie desyrit and requyreit the said Erle Bothwell to be tryit of the said Murthour, he be condigne Inqueist and Assise of certane nobillmen his Peares and utheris Baronnes of gud reputation, is fund guiltles and innocent of the odious Cryme objectit to him, and acquite thairof, conforme to the Lawes of this Realme, quha also for farder Tryell of his Part, has offerit him reddie to defend and mantane his innocencie, contrair all that will impugne the samyre, be the Law of Armes, and

sua hes omittit nothing for the perfyte Tryell of his accusatioune, that any Nobillman of Honor or be the Lawes ought to underlye and accomlishe, and wee, considering the Anciencie and Nobillnes off his Houis, the honorable and guid Service done be his predecessoris, and speciallie himselfe to our Soverane, and for the defence of this her Hienes Realme againis the Enymeis thairof, and the Amitie and Friendshipe quhilk sa lang hes perseuerit betwix his Houis and everie ane of us, and utheris our Predecessoris in particular, and therewithall seing how all nobillmen being in Reputation, Honor and Credite with their Soverane, are commonlie subject to sustene asweill the vaine Bruites of the common People inconstant, as the Accusatiouns and Calumnies of thare adversers, invyfull of our place and vocation, quhilk we of our dewtie and Friendship are astricht and debtbund to repress and withstand: ~~THAIRFORE~~ oblies us, and ilk ane of us, upon our Faith and Honors, and Treuth in our Bodies, as we are Nobillmen, and will answer to God, that in caice heirefter anie maner of Person or Persones, in quhatsumever manner sall happin to insist farder to the sklander and Calumniatioun of the said Erle of Bothwell, as participant airt or pairt of the said hyneous murthor, quhairof ordinarie Justice hes acquite him, and for the quhilk he hes offerit to do his Devoire be the Law of Armes, in manner above reherait; we, and every ane of us, be our selffes, our Kyn, Friendis, Assis-taris, Partakeris, and all that will doe for us, sall tak trew effauld,\* plane, and upricht Pairt with him, to the defence and maintenance of his Quarrell, with our Bodies, Heretage, and Guids, agains his privie or publick Calumnyatoris, bypast or to come, or onie utheris presumeand onie Thing in word or deid to his Reproach, Dishonour or Infamie. ~~MAIROVIR~~, weying and considdering the Tyme present, and how our Soverane the Quenes Majestie is now destitute of a Husband, in the quhilk solitarie state the Commonweale of this Realme may not permit her Hienes to continew and indure, but at

\* *Honest.*

sum Tyme her Hienes may be inclynet to yield unto a Mariage; and thairfore in caice the former affectionate and hartlie Service of the said Erle done to her Majestie from tyme to tyme, and his uther gude Qualities and Behaviour, may move her Majestie so farr to humble her selff, as preferring ane of her native born subjectis unto all forrane Princis, to tak to husband the said Erle, wee, and everie ane of us undersubscribeand, upon our Honors and Fidelitie, oblies us and promittis, not onlie to forder, advaunce, and set fordwart the Mariage, to be solemnizat and compleitit betwix her Hienes and the said nobill Lord, with our Voatis, Counsell, Fortificatioun, and Assistance in word and deid at sic Tyme as it sall pleis her Majestie to think it convenient, and how sone the Lawes sall leave it to be done; \* but in caice onie wald presume directlie or indirectlie, openlie or under quhatsumevir Colour or Pretence, to hinder, hald back, or disturb the same Mariage, we sall in that behalfe esteime, hald and repute the Hinderaris, Adverseris, or Disturbaris thair of, as our comoune Enemyis and evill willeris; and notwithstanding the samyne, tak Pairt and fortifie the said Erle to the said Mariage, so farr as it may pleise our said Soverane Lady to allow; and thairin sall spend and bestow our Lyves and Guidis againes all that leive or die may, as we sall anser to God, and upon our awin Fidelities and Conscience; and in caice we doe in the contrare, nevir to have Reputation or Credite in na Tyme heirefter, but to be accounted unworthie and faithles Traytors. In witnes of the quhilk we have subscriyveit thir Presents, as follows, at Edinburgh, the 19 day of Aprile, the Zeire of God 1567 Zeires.

“To this the Queene gave her consent the night befor the Mariage, quhilk was the 14 Day of May, the Zeir of God for-said, in this Forme.

“The Queenes Majestie haveing sene and considerit the Band\*above writtine, promittis in the word of a Princesse, that she, nor her Successoris, sall nevir impute as Cryme or Offence to onie of the Personis subscriyveris thair of, thaire

\* That is to say, when Bothwell shall have been divorced from his wife.

consent and subscripcioun to the matter above written, thairin contenit; nor that thai, nor thair Heires, sall nevir be callit nor accusit thairfoir; nor zit sall the said consent or subscriyving be onie Derogatioun or Spott to thair Honor, or thai esteemit undewtifull subjectis for doing thairof, notwithstanding quhatsumevir thing can tend or be allegeit in the contrare. In witnes quhairof her Majestie hes subscriyveit the samyne with her awin Hand.

*"In the Cottonian Library there follows a paper in Secretary Cecil's hand to this effect.*

"The names of such of the Nobilitie as subscribed the Band so far as John Read might remember, of whome I had this copie, beeing his owne hand beeing comonly termed in Scotland Aynsteis Supper.

"The Erles of †MURRAY, ARGILE, HUNTLEY, \*CASSILES, †MORTON, SUTHERLAND, \*ROTHOS, †GLEICAREN, \*CATHNESSE.

"Lords, \*BOYD, SEYTON, SINCLAR, †\*SEMPLE, \*OLIPHANT, \*OGLEVY, \*ROSSE-HACAT, CARLEILE, \*HERRIS, †HUME, †EUMERMETH.

"EGLINTON subscribed not, but slipped away."

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APPENDIX G.—PAGES 180, 181, 188, 190, 197.

"INSTRUCTIOUN TO OURE TRUSTY COUNSALLOUR THE BISHOPE OF DUNBLANE TO BE DECLARIT BE HIM ON OURE BEHALFE TO OUR BRUTHER THE MAIST CHRISTIN KING OF FRANCE, THE QUENE OUR GUDE MODER, OUR UNCLE THE CARDINALL OF LORANE, AND UTERIS OURE FREINDIS, AT EDINBURGH THE DAY OF MAY 1567.

"First. Ye sall excuse us to the King, ye Quene oure Moder, oure Uncle, and utheris oure Freindis, in yat ye Consumatioun of oure Mariage is brocht to yair Earis by

\* In this list those marked \* sat as judges on the trial of Bothwell; and † signed the act of secret council denouncing him.

uther Means, before yat (*by*) ony Message from our self, yai haif bene maid participant of oure Intentioun yairin; quhill Excuse mon be chiefie groundit upoun the trew Report of ye Duke of Orknay,\* his Behaviour and Proceedingis towartis us befor, and quhill yis Tyme yat we haif bene maid content to take him to oure Husband. The Report as it is indeid, swa sall ye mak it in yis Maner. Begynand from his verie Zouth and first Entres to yis Realme imediatlie efter the Deceis of his Fader, quha wes ane of ye first Erllis of ye Realme, and his Hous with ye formest in Reputatioun, be ressoun of the Nobilnes and Anciency of the samyn and greit Offices quhill he hes heretabillie.†

“ At quhill Tyme the Quene our Moder being yan Regent of our Realme, he dedicat his haill Service to hir in our Name, with sic Devocioun and Earnestines, that albeit sone yairefter ye maist Part of ye Nobilitie, almaist ye haill Burrowis, and swa consequentlie in a Maner ye haill Substance of the Realme, maid a Revolte frome hir Authoritie under Cullour of Religioun; zit swarved he nevir frome oure Obedience, nor nevir mycht be inducit owther be Promess of gude Deid, or Threatingis of Wrak of his Leving and Heretage with baith quhill he wes stronglie assaultit, to leif ony Part of his Dewtie undone; but rather wes content to suffir his principall House and riche Movables being yairin, to be sackit, to have his haill Leving to be destroyit, and at lenth himself destitute of oure Protectioun, and Assistance of ony of his Cuntree-men, be compellit be Force of oure Rebellis, joynt with ane Army of Ingland, brocht in the Bowelis of oure Realme for yair Support, having na uther Butt‡ to schote at bot onelie oure said Husband, being yan Erle Bothwell, to abandoun hes Landis and native Cuntre, and retier him to France quhare he continowith in oure Service quhill oure Returning within Scotland. Ze sall not

\* Bothwell was created Duke of Orkney at his marriage.

† The Lord Admiralschip of Scotland was one.

‡ Mark.

omit his Service a lytill done afoir yat Tyme in ye Weris aganis Ingland, quhairin he gaif sic Pruif of his Vailzeantness Courage, and gude Conduct, that notwithstanding he wes yan of verie zoung Aige, zit wes he chosin out as maist fit of ye haill Nobilitie to be oure Lieutenant-general upoun ye Bordouris, having ye haill Charge as weill to defend as to assayle. At quhilk Tyme he maid mony nobill Interprysis, not unknawen to bayth ye Realmis, be ye quhilk he acquirit a singular Reputatioun in bayth.\*

"Efter oure Returning into Scotland, he gaiff his haill Study to the furthsetting of oure Authoritie, and to imploy his Person to suppress the Insolence of ye rebellious Subjectis inhabiting the Cuntreis lying Ewest† ye Marches of Ingland. And within schort Tyme brocht yame to a perfytt Quietness, with Intention to pass furthwart in ye like Service in all uther Partis of ye Realme.

"But as Invy evir followis Vertew, and yis Cuntre is of itself sumquhat subject to Factionis, others began to mislyke hes procedingis, and sa far be Reportis and misconstruing hes Doingis, went about to put him out of oure gude Grace, that at lenth upoun Cullouris invented be his evill Willaris, for satisfeing of yame yat mycht not abyde his Avancement, and avoiding of further Contentioun, quhilk mycht have brocht ye haill Realme in Troubill, we were compellit to put him in Ward.

"Out of the quhilk eschaping, to gif Place to yair Malice, he past out of the Realme towart France, and yair remanit quhill about twa Zeris; syne‡ yat ye same Persons quha befoir wer ye Instrumentis of his Troubill began to forzet yair Dewtie towartis oure selfe, putting yamselvis in Armes, displayit plane Banneris aganis oure Person, At quhilk Tyme be oure Comandment being callit Hame, and immediatlie restorit

\* And yet Hume says of Bothwell, in order to damage Mary, that "he was not distinguished by any talents either of a civil or military nature." —V. 107.

† Towards, or nearest.

‡ Until.

to his formar charge of Lieutenant Generall, our Authoritie prosperit sa weill in his Handis, yat suddanlie oure haill Rebellis wer constranit to depart ye Realme, and remane in Ingland, quhill\* sum of yame upon Submissioun and humill Sute wer reconceylit to us. How tressonabillie we wer demanyt for Hame-bringing of ye rest, be yame quhame we had advancit to mair Honour yan yai wer worthie of, it is not unknawen to oure Uncle, quhilk makis us to pas it over the mair shortlie.

" Zit it is worthie Rememberance with quhat Dexteritie he red himself of the handis of yame yat at yat Tyme detenit oure Person captive, and how suddanlie be his Provydence not onlie wer we deliverit out of Presoun, but alsua yat haill Company of Conspiratoures dissolvit, and we recoverit oure formar Obedience. Indeed we mon confess yat service don at yat Tyme to haif bene sa acceptabill to us, yat we could nevir to yis Hour forzet it, quhilk he hes ever sensyne prosequitit with ye lyke Diligence in all yat mycht content us, swa yat we culd not wish mair Fidelitie nor gude Behaviour yan we have alwayis fund in him, quhill† of lait, sen ye Deceis of the King our Husband, yat as his Pretensis began to be heichar, sa fand we his Proceedingis sumquhat strange, albeit now sen we are sa far procedit with him, we mon interpreit all Thingis to ye best, yet haif we bene heichlie offendit, first with his Presumptiounis, yat thocht we could not sufficientlie reward him, onles we sould gif oure self to him for ye Recompanis of his Service, next for his Practises and secret Meanis, and at lenth ye plane attempting of Force to have us in his Puissance, for Feir to be disappointit of his Purpois.

" His Deportmentis in yis Behalf may serve for ane Exempill, how cunninglie men can cover yair Deisseignis, quhen yai have ony great Interpryis in Heid, quhill yai haif brocht yair purposis to pas. We thocht his Continewance in the awayting upon us, and Reddines to fulfil all our Commandmentis, had procedit onelie upon ye acknowlegeing of his

\* Until

† Until.

Dewtie, being oure born Subject, without furder hid Respect, quhilk movit us to make him ye better Visage, thinking nathing less, yan yat ye same being bot an ordinarie Countenance to sic Nobilmen as we fand affectionat to oure Service, sould encourage him to gif him Bauldness to luke for ony extraordinar Favour at oure Handis. But he, as weell his apperit sensyne, making his Proffeit of everie Thing mycht serve his Turne, not discovering to oure self his Intent, or yat he had ony sic purpos in Heid, was content to intertene oure Favour be his gude oatwart Behaviour, and all Meanis possibill. And in ye mene Tyme went about be practising with ye Nobillmen secreitlie to make yame his Friendis, and to procure yair Consent to ye Furtherance of his Intentis: And swa far procedit be meanis with yame—befoir yat evir ye same come to oure knowlege, that oure haill Estaitis being heir assembled in Parliament, he obtenit ane Writting subscrevit with all yair Hands, quhairin yai not onlie grantit and consentit to oure Mariage with him, bot als wa obleyst yameselfis to set him forward yairto with yair Lyvis and Gudis, and to be Inymeis to all wald disturb or impede ye samyn,\* quhilk he purchest geving yame to understand yat we wer content yairwith.

“And ye samyn being anis obtenit, he began asar of to discovir his intentoun to us, and to assay gif he mycht be humill sute purches oure gude Will, but finding oure Answer nathing correspondent to his Desire, and casting befor his Eyes all Doubtis yat custum abillie men usis to revolve with yameselfis in semblabill Interpryses, the ontowardness† of oure awin mynd, ye Perswasiounis quhilk oure Friendis or his Unfriendis mycht cast out for his Hinderence, ye change of yair myndis quhais Consent he had alreddie obtenit, with mony other Incidentis quhilk mycht come to frustrate him of his Expectatioun, he resolved with himself to follow furth his gude Fortoun, and

\* Appendix F.

† Anderson's copy has “outwardness,” but this is nonsense. I have adopted Mr. Goodall's conjectural emendation.



all Respectis laid apart ayther to tyne all in ane Hour, or to bring to pas yat Thing he had takin in Hand; and swa resolvit quikly to prosecute his Deliberatioun, he sufferit not the Matter lang to sleip, bot within Four Dayis yairafter, finding opportunitie, he ressoun we wer past secretlie towartis Stirling, to visite ye Prince oure deirest Sone, in oure returning he awayted us be ye Way, accompaneit with a great Force, and led us with all Diligence, to Dunbar.

"In quhat Part we tuke yat maner of Dealing, bot speciallie how strange we fand it of him, of quhome we doubtit les yan of any Subject we had, is easie to be imagined.

"Being yair, we reprochit him ye Honour he had to be sa estemit of us, ye Favour we had alwayis schawin him, his Ingratitude, with all uther Remonstrancis quhilk mycht serve to red us out of his Handis. Albeit we fand his Doing rude, zett were his Answer and Wordis bot gentill, that he wald honour and serve us, and wald nowayis offend us, askit Pardoun of ye Bauldness he had tane to convoy us to ane of oure awin Houses, quhairunto he was drevin be Force, alsweill as constranit be Lufe, ye Vehemency quhairof had maid him to sett apart ye Reverence quhilk naturallie, as our Subject, he bure to us, as alswa for Saiftie of his awin Lyff. And yair began to mak us a Discours of his haill Lyff, how unfortunat he had bene to find Men his Unfriendis, quhome he had nevir offendit: how yair Malice nevir ceased to assault him on all Occasiouns, albeit onjustlie; quhat Calumpnyis had yai spred of him twiching the odious Violence perpetrated in the Persoun of the King oure lait Husband; how unabill he was to safe himself from ye Conspiraceis of his Inemeis, quhome he mycht not knaw, be ressoun evry man professed himself outwardlie to be his Friendis; and zit fand he sic hid Malice, yat he could not find himself in Surtie, without he were assurit of oure Favour to indure without Alteration; and uther assurance yairoff could he not lippin\* in, without it wald pleis us

\* Rely.

to do him that Honour to take him to Husband, protesting always yat he wald seik na uther Sovereignty, bot as of befoir, to serve and obey us all the Dayis of oure Lyff, joyning yair-unto all ye honest Language yat could be usit in sic a Caiss.

“And quhen he saw us lyke to reject all his Sute and Offeris, in the End he schowed how far he was procedit with oure haill Nobilitie and Principallis of our Estaittis, and quhat yai had promiseit him under yair Hand Writtis; gif\* we had Caus yan to be astoneist, we remit us to ye Jugement of ye King, ye Quene, oure Uncle, and utheris oure Freindis. Seing ourselfe in his Puissance, sequesterate from ye Company of all oure Servandis and otheris quhome of we micht ask Counsale; zea seing yame upon quhais Counsale and Fidelitie we had befoir dependit, quhais Force aught and mon mantenne our Authoritie, without quhome, in a Maner, we ar nathing; for quhat is a Prince without a Peopill, befoirhand already zealded † to his Apetyte, and swa we left allane, as it were a Pray to him, mony Thingis wee revolved with ourself, bot nevir could find ane Outgait. And zit gaif he us lytill Space to meditate with oure selfe, evir preissing us with continewall and importune Sute.

In the End quhen we saw na Esperance to be red of him, nevir Man in Scotland anis makand ane Mynt to procure oure Deliverance,‡ for yat it mycht appeir be yair Hand-writtis and Silence at yat Tyme yat he had won yame all, we wer compellit to mitigat oure Displeasure, and begin to think upon yat he propounded; and yan wer content to lay befoir oure Eyes the Service he had done in Tymes past, ye Offer of his Continewance heirefter; how unwilling oure Pepill are to ressave a Strangear unacquainted with yair Lawis and Customis; yat yai wald not suffer us lang to remane unmareit, yat yis Realme being devidit in Factionis as it is, canot be contenit in Ordour, unles oure authoritie be assistit

\* Whether.

† Yielded.

‡ This completely refutes the baseless story in Hume, V. 114, of offered and declined help.

and furthsett be the Fortificatioun of a Man quha mon tak Pane upoun his Persoun in the Executioun of Justice, and suppressing of yair Insolence yat wald rebell, the Travell quhairoff we may na longer sustine in oure awin Persoun, being alreddie weryit,\* and almaist brokin with the frequent Upiores and Rebellions raisit aganis us ; sen wee come in Scotland how we have been compellit to mak Four or Five Lieutenantis at anis, in divers Partis of the Realme, of quhome ye maist Part, abusing oure Authoritie, hes, under colour of oure Comission, raset our Subjectis within yair Charge, aganis ourself : And seing Force wald compell us in the end, for Preservation of our awin Estait, to incline to sum mariage, and yat ye Humour of our Peopill would not weill digest a foreyn Husband, and yat of oure awin Subjectis yair wes nane, eyther for ye Reputation of his Hous, or for ye Worthiness of himself, alsweill in Wisdome, Valzeantness, and all uther gude Qualities, to be preferred, or zilt comparit to him quhome we have taken, we wer content to accomode our selfe with ye consent of oure haill Estaittis, quha, as is befoir said, had alreddie declared yair Contentations.

“After he had be yir† Meanis and mony utheris, brocht us agaitward to his Intent, he partlie extortit, and partlie obtanit oure Promeis to tak him to oure Husband : And zit not content thairwith, fearing evir sum Alteratioun, he wald not be satisfeit with all the just Ressonis we could allege, to have ye Consumatioun of ye Mariage delayit ; as had bene maist ressonabill, quhill we mycht communicat ye same to ye King, ye Quene, oure Uncle, and utheris oure Friendis ; bot as be a Bravade in the Begynning he had win ye furst Point, sa ceased he nevir till be Perswasious and importune Sute, accompaneit not ye less with Force, he hes finalie drevin us to end ye Work begun, at sic Tyme, and in sic Forme, as he thocht mycht best serve his Turn, quhairin we canot dissembill yat he hes usit us urtherways yan we wald

\* Wearied.

† These.

have wissit, or zitt have deservit at his Hand, having mair Respect to content yame by quhais Consent grantit to him beforhand, he thinkis he hes obtenit his Purpois, althocht yairin he had bayth frustrate us and thame; then regarding oure Contentatioun, or zit weying quhat wes convenient for us, yat hes been norissed in oure awin Religion, and nevir intendis to leif the samyn for him or ony man upon Earth.

“Indeid, with yis Point we fand fault in oure Mynd, albeit we ar content yat nouthir the King, ye Quene oure Moder, oure Uncle, nor any uther lay it to his charge; for now, sen it is past, and can not be brocht bak agane, we will make ye best of it; and it mon be thocht, as it is in Effect, yat he is oure Husband, whom we will bayth luff and honor, swa yat all yat professes to be our Friendis, mon profess ye like Friendschip towartis him quha is inseparably joynit with us. And albeit he has in sum Pointis or Ceremoneis raklest himself,\* quhilk we ar content to impute to his Affection towartis us, we will desire the King, ye Quene our Moder, oure Uncle, and utheris oureis Friendis, to beir him na less gude Will, yan (if) all had procedit to yis Hour with ye Adviss of all oure Friendis, and in ye best Ordour yat he culd haif devysit, assuring yame, yat yai will find him reddie to do yame all ye Honour and Service yai can require.”

The remainder of the paper refers to the divorce, and some other matters, but contains nothing of special importance; and I should not have copied it so far, had it not been that this document, though very little known to the public, is really the only narrative which we have of the events of the period to which it refers; since these were necessarily known to very few. And the only other person who has at all touched upon the subject has confirmed a portion of the Queen's narration. But on this point I have spoken more fully elsewhere.

Yet the importance of this interesting record seems to me

\* Behaved himself rashly.

by no means to cease with the facts which it conveys ; for the general tone in which it is couched appears to show, in the fullest manner, the real state of the mind of the royal writer towards the Earl of Bothwell. Anxious to conciliate her French allies, she dwells upon his meritorious services, and, with that generous spirit of forgiveness, which peculiarly marked her character, declares that the past shall be obliterated from her memory for ever. But, spite of herself, her real feelings burst forth at times, and we see her deep sense of the injury which she had sustained, and this adds another to the many demonstrations of the utter fallacy of that theory of her ardent and passionate love for Bothwell, which has been espoused and defended by some of the ablest of our historians. And its value, in this point of view, would fully justify the space which I have occupied in presenting the important portion of this valuable production of her pen to the admirers and friends of Mary Stuart.

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APPENDIX H.—PAGES, 185, 200.

“ A DECLARATION, BY MARY QUEEN OF SCOTLAND, CONCERNING  
THE EARL OF BOTHWELL'S SEIZING AND IMPRISONING OF HER.

(*From the Acts of Sederunt.*)

EDINBURG XII MAY 1567.

“ The quhilk day our Soverane Lady compearand\* personalie in Jugement, in Presens of the Lords Chancellor, Presedent, and haill Lords of Session underwritten ; that is to say, &c. (*Here follow the names of the Lords present.*) Being informit of befoir, that the Lords of Sessioun made sum Doubt and Stop to sit for Administratioun of Justice to the

\* Appeared

Liegis of this Realme, in respect that her Hienes was teine and haldin in Dunbar be James Erle Bothwell, Lord Hallis and Creychtoun, and certane utheris his Complices, contrair hir Majesties Will and Mynd. And now the Quenis Majestie, for Declaratioun of hir Mynd thairintill, hes allowit the foresaids Lordis of Sessioun for doing of Justice to hir Hienes Lieges sen the Tyme forsaid; and farther hes in like Manner declarit, and declarit That albeit her Hienes was commovit for the present Tyme of hir Taking, at the said Erl Bothwill: And sensyn be his good behaving towart hir Hienes, and having fur Knalege of hes thankful Service done be him in Tyme bygone, and for mair thankful Service in Tyme coming, that hir Hienes stands content with the said Erle, and hes forgivin and forgivis him, and all utheris his Complices being with him in Company at the Tyme forsaid, all hatreut conceavit be hir Majestie for the taking and imprisoning of hir at the Tyme forsaid. And als declaris hir Majestie to be at hir Fredome and Libertie, and is mindit to promove the said Erl to further Honors, for his Services forsaid: And Mr. David Borthik,\* Procurator for the said Erle, askit Instrumentis hereof."

This is the only act of pardon from Mary to Bothwell which was ever granted, and in it we shall seek in vain for Hume's clause, which is to include the murder of the King. In fact, it would have been absurd to take all these circuitous modes of proceeding, for the mere reason of granting a pardon, (as that historian supposes,) when the earl had been previously declared innocent by the Jury, the Parliament, and the nobles; and, in truth, Mr. Hume has been led into error by others, whose cunning he did not perceive. Many of the opponents of Mary have averred that the seizure was concerted for the purpose of granting such a pardon, but they have all carefully avoided stating that it was really bestowed: and our historian

\* He acted as Bothwell's Prolocutor on his Trial. Apud Anderson, II. 104.

has fallen into the snare. The perusal of the document, however, will be a decisive step to all.

But this act has some degree of importance with regard to another point; for it shows us that Mary's capture was so universally believed to be a real one by the nobles, that they suspended the sittings of the courts of justice in consequence. And this shows, beyond a doubt, that the idea that the seizure was simulated, had its origin at a period posterior to the transaction, and was not, as Hume asserts, the general opinion in Scotland at the time of the event.

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#### APPENDIX I.—PAGE 215.

In the enumeration of the confessions or declarations of Bothwell, it will be seen that I have entirely omitted that in which alone he is made to confess his guilt, since in all the others he declares his innocence of any participation in the murder. This confession has been published by Miss Strickland in her *Letters of Mary*, (Vol. III. p. 123,) but there seems to me to be several reasons which induce a doubt of its genuineness.

1. In all the other documents Bothwell asserts his own innocence with a particular detail, and shows the reasons which had induced the other lords whom he accused to commit the crime; but in this alone does he condemn himself.

2. The original of this is not known to exist anywhere. Of the other, the original does exist in the Library of the King of Sweden, at Drottingholm, properly attested; but of this we possess only reputed copies and descriptions.

3. These descriptions vary very considerably. In the copy published by Miss Strickland, he is made to state that the murder was committed by his appointment, the other lords only consenting; while Mr. Hamilton states the purport to have been, that Murray proposed the plot, while Morton planned,

and he himself executed it. These different substances go very far to invalidate the value of each, and Mr. Laing's copy differs from both.

4. Miss Strickland remarks—as it seems to me somewhat unfairly—that when Bothwell was captured he was willing to accuse everybody except himself and the Queen. But not a name is mentioned in his first declaration, which may not be classed with the utmost justice among the rebel band.

5. In this assumed death-bed declaration, the names are much fewer than in the other, and two are inserted—men of great importance, though dead—who were not noted in the first at all, the Lord Robert Hamilton, and the Bishop of St. Andrew's—but what is of still more importance, a great number of names are omitted. Now, this paper was brought forward in order to procure the condemnation of Morton; and it is curious to observe, that while of the persons accused in it, he was the only living one, among those who are in the first and not in it were seven of his decided enemies. This change is alone sufficient to beget suspicion.

6. Camden, who mentions the declarations of Bothwell, seems to me to negative, indirectly, the authenticity of this. He says—"Bothwell . . . many times witnessed, both living and dying, with a religious asseveration, that the Queen was not privy thereunto."\* Here he makes not the slightest allusion to that self-accusation, which is the prominent feature of this declaration, and which he could not fail to notice, the more especially as he seems inclined to believe Bothwell to have been guilty.

7. The document purports to be attested, among others, by the Bishop of Scone. But Mr. Laing declares that there was no such bishopric; that district being comprehended in Opœlac, one of the four bishoprics into which Norway was divided.† I do not urge this, since Mr. Laing is an authority very little to be depended upon. In another instance,

\* Camden, I. 97.

† Laing, 338, note.



with regard to this very document, he attempts to increase the evidence against it by remarking that it is dated at the Castle of Malmay, and declaring, at the same time, that there was not any such place.\* His geographical knowledge should have reminded him that the town of Malmoe is situated on the Sound, immediately opposite Copenhagen ; and his acquaintance with the history of the period of which he writes, might have told him that the original of the second genuine confession of Bothwell is dated at Malmoe, the 13th of January 1568 ; and the memorandum affixed to the first, declares that it was received " at the Castle of Malmoe, the 13th day of January, in the year 1568." But Mr. Laing's ignorance or unfairness, whichever it may be, continually leads him into errors such as this, and renders his history of scarcely any value, except as a model of prejudice and blindness, his own assertion being often put forward, unsupported, as decisive against the most numerous and conclusive authorities ; and this with an imperturbable coolness which is very often likely to deceive the unwary reader, especially if he is unacquainted with his author's habits.

8. This confession makes the Earl charge himself with a reckless immorality, of which there is not the slightest reason to believe him guilty ; for, though not by any means a scrupulously moral man, there is no evidence of his having been habitually the reckless profligate which some have called him.

9. Melvil, who is no friend to Bothwell, does not make the slightest mention of this document.

10. With regard to the paper in question, historians of the highest repute join in averring it to be demonstratively a forgery. Dr. Stuart, (II. 103 note,) and Dr. Lingard, (VIII. 157, note,) both agree in asserting this most strongly. And if this copy be unworthy of credit, we have no other on which to rely.

\* Laing, II. 338, note.

These reasons have induced me to reject altogether this confession, and I conceive that most readers will be inclined to accord to such a course the praise of prudence. The other two declarations, however, the originals of which exist, remain in full force, and confirm the assertion of Camden, that Bothwell always cleared the Queen from any blame with regard to the murder of her husband.

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APPENDIX K.—PAGE 233.

“THE BOND OF 9 EARLES, 9 BUSHOPPS, 18 LORDS AND  
OTHERS, FOR DEFENCE OF THE QUEENE OF SCOTTS.

“VIII MAY 1568.

“TILL all and sundrie quhome it effaires, to quhais Knowledge thir present lettres sall cum : We ye prellatts, erls, lords, barons, gentilmen, and burrowis, after specifiet, haveing considerit that it has pleasit God Almytie, of his infinite power, to put to libertie our Sovereigne Ladie ye Quenis Magestie furth of the hands of hir Hienes disobedient and unnaturall subjects, quha hes presumit and praisit yemselfs to hold her maist noble person in preson, yis lang tyme past, for yair awin prehemenance and particularities, menused and boistand from tyme to tyme to take her Magesteis lyfe maist unjustlie from her, expres agains all lovable lawe of God and man ; for ye quhilk his greit benefitt grantid to us her true subjects in her deliverance afoirsaid, we render to him all thanks and hearty praise ; and seing alsue that it is the bundin duetie of all true subjeicts with their bodies, lands, and guddis to serve and obey there native Sovereigne, in the quhilk place undoubttilly Almightye God has gevin her Hienes abuse us to raigne, quhilk we maist earnestly prays his Godheid may lang continewe, to his glory, and alswo our

vardlie\* comforte: We, therefore, and every one of us, promisis and oblige us, in the name of the eternall God, faithfully and trulie upon our lawtie† and honors in the world, That we sall serve and obey truely our said Sovereigne Lady, our naturall princes as her Hienes faythfull lieges and subjectis, agains all her enemeyes and uthers her Graces disobedient and unnaturall subjects, with our bodies, lands, and guds, frends, servands, assistans, and partakers, to the setting forwart of her Hienes auctoritie, honor, common veill of our native realme and liegs thereof, to the uttermaist of our power unto our lieves end: And alswa because we se the great disobedience presently pretended agains her Grace, and her trew and obedient subjects; we therefore, in maner foresaid, binds and obligis us and every one of us, truly and faithfully to take one true and anefald plane part with otharis, in defence of ourselfs, bodeis, guddes, lands, rowmes, possessions, men, tennentis, servands, frends, and assistenis, and in persute of them that beis funden‡ disobedient to our said Sovereigne Lady and hir auctoritie: And to that effect that na distance nor gruge sall remane nor vix§ amangis us, our frends and servands for any action ne|| caus criminale or civile bypast; we also be thir presentis referris all sic actiounis and causes, yat presently is, or sall haponn heerafter to be amangis us, to ye ordour, dres, and comandement of our said Sovereigne Ladie, or the lordis of her Hienes counsall, or any thre or fowr of thaime, that her Hienes pleases comaund to accept the decision thereof upon them; and however they discernie yintill,¶ we oblige us faithfully to stand and abide thaireat, and sall on no ways persewe any actions agains otheris without her Hienes license, unto the tyme that her Majesty hold parliament and be fully establisht in her Quenely honour and obedience: Oblissant ilk ane of us to uthers\*\* but†† fraude or guile, upon our lawties, honours,

\* Worldly.

† Loyalty.

‡ Found.

§ Exist.

|| Nor.

¶ Therein.

\*\* Each one of us to all the rest.

†† Without.

and fidelities, and nevir to have faith nor credit, but to be reputit and manifest traytors, gif we cum in contrare the tenour of the premisses in any sort. In witnes of the quhilk we and every one of us has subscrivit thir presents with our hand, at Hamylton, the viiith day of May in the yeir of God M.D. threscore and oucht yoeiris, &c. Sic subscribitur,

\*Archibald Erle of Argile.

\*George Erle of Huntley.

Hew Erle of Eglintoun.

\*David Erle of Crawford.

Erle of Cassillis.

Erle of Rothons (Roths).

Erle of Mutroise (Montrose).

Earle of Sudderland.

Erle of Arroll Counstable.

Jo<sup>n</sup> Archbp. of St. Androis.

Jo. Bp. of Dunkeld.

Jo. Bp. of Ross.

Alex. Bp. of Galloway.

Alex. Bp. of Aberdene.

\*Rob. Bp. of Brechon.

John Bp. of the Isles.

James B. of Argile.

\*John B. of Murray.

Abbot St. Colmes Insche.

A bbot Lindoris.

Glenus.

Haliwod.

Abbot New Abbay.

Dundraynen.

Abbot Salside.

Abbot Cousragell.

Abbot Inschafray.

Abbot Kelso.

Prior Pluskatt.

Prior Lahteun.

#### LORDIS.

Fleminge.

Levingston.

Seton.

Robert Lord Boyd.

Somerveillis.

\*Hereis.

Ross.

Maxwell.

Ogilby.

Olafant.

Wm. Lord Borthveik.

Zanher.

\*Wm. Lord Hay of Yester.

Drumond.

Elphinstoun.

Lord Claud Hamylton.

Sinclare.

Cairliel.

Lamington.

Cederwood.

Cloisburne.

Langton.

Trequair.

Keir.

## BARROUNIS.

Lard Lochinwar.	Rob. Boyd of Baddeners.
Bass.	Jerviswood.
Wachton.	Jam. Johneston of Torrey.
Roslinge.	R. Johneston of Lochneaben.
Christorphin.	Jo. Creythun of Rihill.
Johneston.	Seref of Ayr.
Weymes.	Sir James Hamilton, K <sup>t</sup> .
Bulwegnie.	Seref of Cliddesdaile.
Torry.	Rob. Maister of Simple.
Dalhoussey.	Lord Bandeneth.
Fairheisty.	Lard of Belstains.
S <sup>t</sup> of Lewdaill.	Quhitfurd.
Jam. Stewart of Cardonald.	Sir Andro Car, K <sup>t</sup> .
Lard of Kneland.	Seref of Linlithgow.
Lard Camnethen.	Gairtlie.
Lard of Lachoss.	Silverton, K <sup>t</sup> .
Barthanothan.	Haninge.
Gawstuun.	Rikerton.
Romanes.	Arkinles.
Craunstoun, K <sup>t</sup> .	Dalzell.
Newton of the Ilk.	Semenance.
Gardey.	Lekprevik.
Clackmanin.	Corhouss.
Sanchy.	Rob. Lawson of Humby.
Tulleallen.	Esilmont.
Fyndletar.	Macum Tosche (Macintosh),
Barnebowgall.	Geicht.
Greinheid.	Creich, K <sup>t</sup> .
Bawfe.	Abergeldy.
Haddon.	Quhytlawe.
Lard of Ronallen.	Th. Maister of Boyd.
Drumalyer.	Laird of Bombie.
Coilsburn.	Skirlinge, K <sup>t</sup> .
Whitford of the Ilk.	Lard Boyn.
	Lard of Boghall.
	Lard of Innervike.

Lard of Stonhaus.	Pat. Congilton of the Ilk.
Lard of Dunrod.	Pook.
Craighall.	Lacheland.
Annesbun.	Lard Smeton.
Kilburnie.	Preston, K <sup>t</sup> .
Lard Cokpule.	Caldwell, K <sup>t</sup> .
Neil Mungumery, K <sup>t</sup> .	Maister of Kneland."

It is worthy of note, that in this noble list of signers, which includes the highest and most brilliant names among the whole nobility, are to be found those of eight\* who were present in that Parliament of Murray's, in which he brought forward his evidence against the Queen; a fact of some importance, since it shows that the impression made upon that body was by no means so unanimous as some have endeavoured to believe. To comment on the names appended would be a waste of time and labour; they speak for themselves, as a collection of the worthiest that could then be found in Scotland. And the brightest praise which we can offer to their memory is, the commemoration of the fact that they were signers of this noble and truly glorious paper.

#### APPENDIX L.—PAGE 245.

"PART OF A LETTER FROM SOME OF THE NOBILITY OF SCOTLAND TO THE QUEEN OF ENGLAND, IN FAVOUR OF QUEEN MARY, 28TH JULY, 1568.

"——— For we will never put Douit in this Point, bot zour Majestie will frelie delyvir our Maistress in hir awin Realme: Considerrand quhow scho come of Benevolence to seik zour prencelie Aid and Help as to hir Sister, and not as an Presoner; And gyf zour Heynes wald be sa extreme and rigorous as to hald hir within zour Realme agane hir Will it will be heylie aganis zour prencelie Honour, quhilk we trow

\* They are marked \* in the list. The list of the Parliament of Dec. 15, 1567, is in Anderson, II. 228.

not zour Majestie will fyill nor violat, nor zeit zour 'diveris Promissis maid to hir : And als it wald be odious to all utheris Prencess and Nationis that the lyck thair of has not bene sene, and unsufferable to all Prencess of Honor gif ony sick thingis war schavin to thame or cumit to thair Eiris ; That ony King or Quene cumand furth of thair awin Cuntre to seik Succurris at ane uther Prence, sould be haldin captyve thair aganis hir Will : and our Soverane hes mony sundrie Freindis in utheir Realmes quha wald be heylie offendit, gif thai knew hir Majestie stayit or haldin aganis hir Will or Captyve, quha wald fynd Rameid thairfor : Alsua we can never think nor be persuadit that zour Majestie will usse sic maneir of Extremetie towart our Soverane zour Sister, to ratine hir within zour Realme. ——— And lat us not have occasioun to lament her Majestie and our Causes to uther Prencess, quhilk gif scho be deteynit we man and will do of our Deutie, to all Christiane Kingis and Princess in Euroip for hir help : Desyrand zouire Majesteis Pardoun of this ouir lang and quik Lettre, quhilk of oure Dewtie we can do na less, the occasioun standis sa hard to us : And quhat we sall lippin\* to in this matter. Desyris maist humlie zouire Heynes Answir. From the Toun of Larggis the xxviii day of July, 1568.

Zour Majesties hummile

Servandis at Pouerris :

" ARCHBISHOP OF  
SANCTANDROIS.  
HUNTLYE.  
ARD ARGYLL.  
ERL CRAFURD.  
ARROLL.  
ROTHOWS.  
CASSILIS.  
EGLYNTOUN.  
CAITNES.  
FLEMING.

ROSS.  
SANQUHAR.  
OGILVY.  
BOYD.  
OLIPHANT.  
DROWMOND.  
BORTHIK.  
MAXWELL.  
SOMERVELL.  
FORBUS.  
ZESTIR."

\* Rely upon.

## APPENDIX M.—PAGE 323.

“THE COMMISSIOUN SENT FOR THE QUEEN'S MAJESTY OF SCOTLAND, TO CAUSE DISCHARGE THE CONFERENCE IN CASE PRESENCE BE NOT GRANTIT.

*From Q. Maries Register, Cott. Tit. C. 12.*

“TRAIST counsignis and Counsellaris, we greit you weill. Forasmeikle as we have ressavit your letteris, and understand thairby the answer of the Quene our gud sister, concerning certain points we have proponit to hir, be the quhilk we consider that the mair we travel with hir, the less is scho mindit to support and favour us : wherefoir knawing that the Nobilitie of this Realme are to assemble, and the matter may be proponit in publick, we are resolute, considering the matter that was spoken and promisit, that during this conference the Earl of Murray, principal of our rebels, suld not come in the presence of the Quene our gud sister, mair nor we ; but be the contrair, he being ressavit and welcomit unto hir, and we, ane free Princess, not haveing access to answer for our selves, as he and his complices, thinks therefoir ye can proceed na farther in this conference ; for ther may be some heids proponit quhairto you cannot answer of your selfis, unless we were there in proper persoun, to give answer to the calumnies quhilk may come in question aganis us, swa that partiality appeirs to be usit manifestlie ; Herefoir ye shall afore our sister, hir Nobility, and the hail Ambassadors of strange countries, desire in our name, that we may be licencit to come in proper persoun afore them all, to answer to that quhilk may or can be proponit or alledgit against us by the calumnies of our rebels, sen they have free access to accuse us ; otherwise ye shall protest, that, for the saids consideratiounis, all quhilk they can or may do aganis us, shall be null and of na prejudice to us hereafter : And seing the matter to be of sa greit weight, it



wuld be guid and honest, for our security, and the reputation of the Quene our guid Sister, that at the leist there were as greit respect born unto us, as to our adversaries, wha are our rebellious subjectis, tending to the usurpation of our crown and authority; albeit sen the beginning and progress of this negotiatioun, by evident tokenis it may be found, that our rebels have evir been mayntainit aganis us and our trew subjectis; and of all that has been promisit to us, there has little been kept, quhair of you may hald our sister in remembrance. Amangis the rest, there are thré pointis to be noted,

"1. We being comit in hir realme on assurance of hir amitie promisit to us in all our necessities, quhilk has so well been observit, that as zit we have not seen any demonstratioun shawin to restoir us into our own realme and authority, quhilk, of our own fré will, we came to seek a support thereto, but alsua has ever denyit us hir presence; and instead of the gude treatment and support we hoped for, we have found us prisoner, evir straiter and straiter kept from libertie, and yet intending to transport us herefra in mair strait keeping quhair we shall be under the protection of our enemies,\* who seek only our utter destructioun.

"2. The maintenance that our rebels has had is too manifest. Contrair that quhilk our gude sister promisit to us by hir letter of the 10th of August 1568. They held ane Parliament, where there was an act made, that it should be leisum† to dispone on our haille jewels at their plesour, and in another they forfeited ane greit number of our faithful subjectis, as instantly they make execution of the same to all extremity and rigour; howbeit, at our said sisters request, we had dischargit our said subjectis from their armour and hostility, being reddy to have stopit the said Parliament, notwithstanding the said rebels desistit not, for ony respect of the promise made anent‡ the

\* Mary here refers to an arrangement which was once contemplated for her delivery into the hands of Murray.

† Lawful.

‡ Concerning.

present conference, to pursue and reiff\* our faithful subjectis, invadeing them by all meanes, molesting vivers and victuals to pass to our castle of Dunbarton, and takeing uther strengths, in warlike manner, to persue thair interpris aganis our said house. Quhilks wrangis will be na longer endurit by our said subjectis, seing the maintenance thairof sa manifest, as appears in ane manner by ane letter by our sister to the Earl of Murray the 20th of September, quhairof ye have an copie, like to many utheris spread through all our realme. Finally at York, our said rebels being vanquishit in all that thay alledgit, and seing the matter to be concludit to thair disadvantage, stayed the proceeding thairof farder. And now it is taken further from us † quhair we cannot have the commodity to communicate, and give hasty information to you our Commissioners of sic doubts as may occur, as we did at the conference at York, quhilk thay perceivit to thair disadvantage.

“ And now the said Erle of Murray being permittit to come in hir presence, quhilk gif the like be not grantit us, as is resonabill, and zit our sister will condemn us in our absence, not haveing place to answer for ourself, as justice requires; in consideratioun of the premissis ye shall brek your conference, and proceid na further therein, but tak your leive and cum away. And gif our sister will alledge, that at the beginning we were content our causis should have been conferrit on by Commissioners, it is of verity. But sen our rebels, and principals thairof, have free access towards hir, to accuse us in hir presence, and the same denyit unto us, quharthrow personally we may declair our innocence, and answer to their calumnies, beand haldin as prisoner from hir presence, transportit fra place to place as prisoner, cuming into hir realme of our own fré will to seek hir support and natural amitie, we have tane sic resolution, that we will nothing to be further conferrit on, except we be present afore bir, as the said rebels. To the rest, gif our gude sister will consider our cause justly, putting partiality aside, that unjustly the said rebels imprisonit us, and

\* Ravage.

† To London.

reft us of our fortresses, artillery, munitionis, stores, and reft our hail rich jewels from us, require hir, in the presence of all the strange Ambassadors, and nobility of hir realme, that we may have the said rebels stayit and arrestit, wha are under hir powar; and in sa far as we shall preif against them, that falsely, maliciously, and traterously thay have attemptit against our proper honor, quhair of we desire reparation.

"And ye, my Lord Herris, we pray you in all thingis forsaid to employ yourself, and follow our intention with such dexterity as you can very well use; and to add heirto, as ye shall think necessar, following the knowlege quhilk ye have of the premissis and proceedings bypast, quhairin ye travellit in the maiest part thair of. Swa committing yow to the protectioun of God Almighty, &c. Off Bolton, the 22nd day of November, 1568.

"MARIE R."

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APPENDIX N.—PAGE 325.

"THE ACCUSATION AGAINST Q. MARY,

INTITLED

"ANE EIK TO THE ANSWER PRESENTIT BY US JAMES ERLE OF MURRAY AND REGENT OF THE REALME OF SCOTLAND, AND REMNANT COMMISSIONERS APPOINTED FOR THE KING'S MAJESTIE OF SCOTLAND, OUR SOVERAINE LORD, IN HIS HIGHNES BEHALFE; AND FOR OUR SELFIS AND REMNANT STATES AND PEOPLE HIS MAJESTIES FAITHFULL AND OBEDIENT SUBJECTIS, TO THE LETTER PRESENTIT TO YOUR GRACE AND THE LORDIS COMMISSIONERS FOR THE Q. MAJESTIE OF ENGLAND AT YORK, ON THE BEHALFE OF THE QUEEN MODER TO OUR SAID SOVERAIGN LORD. PRESENTIT THE 26TH NOVEMBER, 1568.

"WHEREAS in our former answer, upon good Respectis mentionat in our Protestatioun, we keipit back the chiefest Causis

and Grundis quhairupon oure actionis and hail Proceedings were fundit, quhairwithall seing our Adversaries will not content themselves; But by thair obstinat and earnest preassing we are compellit for justifying of our Cause, to manifest the nakit Trewth. It is certaine, and we bauldlie and constantlie affirme, That as James, sumtyme Erle Bothwile, was the chiefe Executor of the horrible and unworthy Murther, perpetrat in the Person of umquhile King Henry, of gude Memory, Fader to our Sovereine Lord, and the Quenis lauchful Husband; Sa was she of the Foreknowledge, Counsel, Devise, Perswader and Commander of the said Murder to be done, Mantenar and Fortefiar of the Executors thair of, be impedinge and stoppinge of the Inquisitioune and Punishment due for the same according to the Lawes of the Realme, and consequentlie be marriage with the said James sumtyme Erle Bothwill, delatit and universallie estimed Chiefe Author of the abovenamit Murdir. Quhairthrow they begouth\* to use and exerce ane uncouth and cruel Tirrany in the hail State of the Commonwelth, and with the first (as weill appeir by thair Proceedings) intendit to cause the innocent Prince, now our Sovereigne Lord, schortlie follow his Fadir, And swa to transfer the Crown fra the richt Lyne to a bludy Murtherar and Godles Tyrant. In quhilk Respect the Estates of the Realme of Scotland finding hir unworthie to Regne, decernit hir Dimission of the Crown with the Coronation of our Sovereine Lord, and establishing of the Regiment of that Realme in the Persoun of me, the Erle of Murray, during his Highnes's Minority, to be lauchfullie, sufficientlie, and richteouslie done, as in the Actis and Lawis maid thairupon mair largelie is contenit.

JAMES, REGENT,

AD ORCHAD.

PATRICK L. LYNDSEY,

DUNFERMLING.

MORTOUN,

"From the original in the Cott. MSS. Cal. I. f. 230."

\* Began.

## APPENDIX O.—PAGE 335.

“THE JOURNAL  
OF THE COMMISSIONERS  
DIE MARTIS TUESDAY VII DECEMBRIS,  
AT WESTMINSTER.  
1568.

“THE Queens Majesties Commissioners having heard the forsaied Book of Articles throughly read unto them the night before, and not the other writings containing the Act of Parliament, and names of the Estates assembled for the same Parliament, did hear the same two writings read unto them, and after that entered into a new hearing of the Book of Articles, whereof having heard three of the chapters, the Earl of Murray and his colleagues, according to the appointment, came to the said Commissioners, and said they trusted that, after the reading of the said Book of Articles, and specially upon the sight of the Act of Parliament, wherein the whole cause wherewith their adversaries did charge them was found declared and concluded to be lawful, their Lordships would not only be satisfied to think them clear and void of such crimes as her Majesty did charge them withal, but also would so satisfy her Majesty, for they had no manner of meaning from the beginning of this Conference, to have dealt anything to the prejudice of the Queen of Scots, their Sovereign's Mother; but that upon her request made to the Queen's Majesty, they were commanded to come unto this Realm, to answer to such things as they should be charged withal.\* And so being charged by their adversaries, they had made such answer as their Lordships had seen; and the same charge being continued against them, and her Majesty also as it

\* How fully does this refute the assertion of Hume, that the Conferences were begun with no other end than to clear Mary from the accusations of her foes.

seemeth charging and as it were condemning them, they required to know whether their Lordships were not now satisfied with such things as they had seen; and if they were not, that it would please them to show if in any part of those Articles exhibited, they conceived any doubt, or would hear any other proof, which they trusted needed not, considering the circumstances thereof were for the most part notorious to the world, they would willingly show matter therein to satisfy them. Whereunto her Majesties Commissioners answered that it was well known what place they held in this Conference, that was to be only hearers, and with all indifferency to make report to her Majesty of such things as should be on either part produced, without requiring or procuring any other matter than they themselves should find convenient to utter or exhibit; and therefore they could not with good indifferency declare what they thought sufficient or insufficient in those matters last produced, for that were more proper to their adversaries to show what they thought to be insufficient; and where also they seemed to move her Majesties said Commissioners to allow hereof in like sort as the three Estates in Scotland had, the said Commissioners answered they knew not how the States in Scotland were thereto moved, and as for themselves how they were therewith moved they meant not to declare. Whereupon the said Earl and his Colleagues pausing awhile did withdraw themselves, and at their return they repeated their former unwillingness in like manner, tho' in diversity of speech, and requiring that they might declare and utter that which they might utter and show under the benefit of their former Protestation, adding sundry times that their adversaries had been the cause in this matter of the utterance of any thing spoken to the infamy of the Queen, whom they knew had more particular respect to themselves than to the honour and weal of the Queen. And so they produced a small gilt coffer, not fully one foot long, being garnished in many places with the Roman letter F under a Crown, wherein were certain Letters and Writings which they said and affirmed to have been written with her own hand to the Earl Bothwell, which Coffer as they

said having been left in the Castle of Edinburgh by the said Earl Bothwell before his flying away, was sent for by one George Dalglish his servant, who was taken by the Earl of Morton, who also there sitting presently as one of the Commissioners, avowed upon his oath the same to be true, and the writings to be the very same without any manner of change; and before they would exhibit the sight of any of those letters, they exhibited a writing written in a Roman hand in French, as they said and would avow by the Queen of Scots her self, being a promise of marriage to the Earl of Bothwell, which writing being without date, and although some words therein seem to the contrary, they did suppose to have been made before the death of her Husband, the tenor whereof thus followeth:—

*" Nous Marie par la grace de Dieu," &c.*

" They also exhibited another writing in Scottish, which they avow to be wholly written by the Earl of Huntley, dated the fifth of April, containing a form of a contract for marriage betwixt the said Queen and Earl Bothwell, subscribed MARY, which they avowed to be the proper hand of the said Queen, and underneath it JAMES EARL BOTHWELL, which they also avowed to be the proper hand of the said Earl Bothwell, at which time he was commonly defamed, and not clensed, as they termed it, which is, not acquitted, before the xii of April following, the tenor of which Contract thus ensueth:—

*" At Seton the V day of April," &c.*

" After this they showed the Acts or records of the Justice Court, held at Edinburgh the said xii of April, signed by Jhon Bellenden, Justice Clerk, among which followeth the Dictay, otherwise called the Indictment, in this sort following:—

*" James Earl Bothwell, Lord Bayles and Creighton," &c.*

" And in another place amongst the said Acts and Records, the names of the Lords of the Assizes, with their answers to the said Dictay, as hereafter followeth:—

*" ASSIZA—Andrew Earl of Rothes," &c.*

" To which they added this in defence of the said verdict,

besides the matters contained in the latter part, and protestation made by George Earl of Caithnes, Chancellor of the said Assize,\* that the said Dictay was not in this point true, alledging the Murther to be committed the ix Day of February, for that indeed the murder was committed on the next day, being the tenth in the morning before, at two hours after midnight preceding, which in Law was thought to be truly accounted to be the x Day, and so the acquittal not in that point untrue. They also required that consideration might be had of certain words in divers places of the contract, made at Seton the fifth of April MDLXVII. whereof the tenor is above inserted, whereby is by express words mentioned that before the fifth of April a process of divorce between the Earl of Bothwell and Dame Jane Gourdon his wife was indented, that is to say, begun, for that they alledged that at the same time the process of the said divorce was not begun, but the said contract was made not only when the said Earl was undivorced, but before any such process or suit was intended,† for which purpose the said Earl and his Colleagues produced forth two Acts before two several ordinary Ecclesiastical Judges of the whole judgement of the divorce, wherein appeared that the whole process of the one began the xxvi of April, and the other the xxvii, as further by the tenor of the said process hereafter following.

“After this, the said Earl and his colleagues offered to show certain proofs, not only of the Queen’s hate towards the King, her husband, but also of inordinate love towards Bothwell; for which purpose they first produced a letter written in French, and in Roman hand, which they avowed to be a letter of the Queen’s own hand sent to Bothwell when she was at Glascoe

\* But they did not produce this Protest. Why did they not, if it ever existed?

† Yet in the Journal given by Murray to Cecil, we find this entry:—  
“1567. April 5. My Lord of Huntly . . . had purchased ane procuratory subscrit with his sister’s hand, then wyif to Bothwell.”—  
*Godall*, II. 249.



with her husband, at the time she went to bring him to Edinburgh, the tenor of which letter hereafter followeth :—

*" Il semble que avoques votre absence, &c."*

" After this, they produced, for the same purpose, one other long letter, written also with the like hand in French, which they also avowed to be a letter written with the said Queen's own hand to Bothwell from Glascoe, upon the reading whereof they did express their own knowledge of certain matters concerning doubtful speeches in the same letter, contained of one William Higate, and ——— and also of the Lord Minto, by which they intended to make it plain that otherwise was doubtful. The tenor of all which letter followeth hereafter :—

*" Estant partie du Lieu," &c.*

MDLXXII.

" N.B.—The account of this Session was transcribed from a MS. of Archbishop Sancroft, in the hands of the Reverend Doctor Tanner."

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#### APPENDIX P.—PAGE 339.

" ANSWER TO THE EIK THAT WAS PRESENTIT BE THE ERLE OF MURRAY, AND HIS ADHERENTS.

*" From Q. Maries Register, Cott. Titus, C. 12.*

" Forasmekill as the Erle of Murray and his adherentis, our rebellious subjectis, have eikit unto thair pretendit excusis productit be thame for cullouring of thair horribill crymes and offences committed aganis us thair Soverane Ladie and Maistres in siclyke wordis, ' That as the Erle of Bothwell has bene the principal executor of the murthour committed on the

persoun of umquhile\* Hary Stewart our husband, swa we knew, counsallit, devysit, perswadit, and commandit the said murthour ;' thay have falselie, traitourouslie, and meschantlie lyed, imputing unto us maliciouslie the cryme quhairof thameselfis ar authouris, inventeris, doaris, and sum of thame proper executeris.

" And quhair thay alledge ' That we impeschit and stoppit inquisition and due punishment to be maid on the said murthour ;' it is ane uther calumnie to the quhilk having sa sufficientlie answerit be the replie producit at Zork quhairin thay were stricken down, as likewayis in that quhilk thay rehearse of our marriage with the Erle of Bothwell, thinkis not necessarie thairanent to mak thame farther answer, bot refer the samin gif thay think guid to consider that it was answerit to thame in baith thir twa poyntis in the said reply.

" And as to that quhair thay alledge, ' That we sould have bene the occasioun to cause our sone follow his father hastelie ;' thay cover thameselfis thairanent with a weit sack ; and that calumnie sould suffice for pruif and inquisition of all the rest ; for the natural love of a mother towardis hir bairn confoundis thame ; and the greit thought that we have evir had of our said son shawis how shamefully thay are bauld to set forth not onlie that in quhilk, conforme to the malice and impietie of their heartis, thay judge utheris be thair awin proper affectioun, bot of that quhairof in thair conscience thay know the contrair ; like as the wordis of John Maitland the Priour of Coldinghame, quha being in France a littill befor our imprisouning buir witnes in sindrie thingis, how thay wer deliberat to mak insurrection, and that he had letteris of thair suir† purpois ; eiking thairto that howbeit thay had no just occasioun to mak the samin, at last thair wer thré apparent pretextis to draw the pepill to thair side.

" The first, be making thame to understand it was to deliver us fra amang the handis of the Erle Bothwell, quha ravisht us.

\* Deceased.

† Sure.

"The second, to revenge our said husband's deith.

"The third, to preserve and defend our sone; quhom thay knew we had put suirle in the Earle of Mairs handis.

All the saidis thingis thay said wer aganis the Erle of Bothwell, and for the weill, rest and suirtie of me and my sone as thay maid the commoun pepill believe be thair publict proclamatiounis; bot thair actiounis sensyne hes declarit the contrair, and Jhone Maitland spake as weill informit. For to the veritie this wes bot fanzeit and false semblance that thay did to get the Erle Bothwell, for in fact they desyrit onlie bot to obtene our persoun, and usurp our auctoritie, as was sufficientlie declarit be the said reply.

"And albeit thay belief zit to dissembill be the pernicious and cruel will that they have, als weill toward the bairn as the mother, thair is na man of guid judgement discovering the thingis bypast but he may easilie persave thair hypocrisie, how thay wald fortefie thameselfis in our sones name till that thair tyrannie wer better establisht, even efter, as thay have shawin, soon efter our guid bountie and trust we had in thame; thay wald have slain the mother and the bairn baith, quhen he wes in our wamb, and did him wrang or he wes born. Quhilk act schawis manifestlie (by \* the crymes quhairof thay ar culpabill, baith befor God and man) that they ar falslie set aganis our innocencie.

"Finallie, Quhair thay say 'That the estatis of our realme finding us unworthie to reign, decernit our dimissioun of our crown to our sone, and establishing of the regiment of our realme in the persoun of the Erle of Murray;' It sall be answerit thairto; That the dimissioun quhilk thay causit us subscriybit was subscriyvit perforce, quhairon the said Erle of Murray has foundit his regencie, declaris sufficientlie thay procedit not thairin be way of Parliament, bot be violence, and sall convict thameselfis; that be the said reply it was schawin thame thair pretendit assemblee of estaitis was illegittime,

aganis the lawis and statutis of the realme, and ancient observatioun thairof, to the quhilk the best and greitest part of the Nobilitie was aganis, and opposit the samin.

"And hereon conclude, as ze did in zour reply, requiring support fra the Quene of Ingland our guid sister conform to the promissis of friendship betwix hir and us; protesting to add to this answer as tyme, place and neid sall require. And swa committis zou to the protectioun of God Almichtie.

"Off Bowton the nynteen day of December 1568.

Subcryvit thus

Your gude Maistres

MARIE R.

"Indorsate thus

"To our rycht trustie Cousingis, Counsallouris, and Comissionaris, the Bishop of Ross, Lord Hereis, and Abbot of Kilwynning.

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As examples of the unfairness and chicanery of our foes may serve to diminish that reliance upon their statements which the authority of their names might otherwise inspire, I may, perhaps, be permitted to furnish one here which is about as glaring as it is well possible to imagine. Von Raumer, who has put forth a work on Elizabeth and Mary, which is filled with every species of fabrication, and compounded, for the most part, from the letters of an English spy, who was sent out of Scotland by Mary for holding treasonable correspondence with her rebels, has condescended to favour us with what he calls the substance of this reply of Mary's; yet, I fear that those who have perused the original, will scarcely recognize his abstract; for he contents himself with telling us that Mary said, "I have already refuted all the accusations at York:" to which he subjoins a very sapient note, that "the affair had since assumed a very different aspect, and new proofs had been adduced;"\* and then quotes a passage from a

\* Von Raumer, 155.

private letter from Mary to her Commissioners. The falsity of his abstract will be instantly perceived by a glance at the real letter, in which the Scottish Queen gives the most distinct and positive denial to the charge—accuses her rebels of having perpetrated it—and only refers to the reply at York for a refutation of those points which had been answered there, and which were now revived, in order to add to the force of the accusation against her. The reader who peruses this very unequivocal paper from the hand of Mary, and who remembers that it was actually given in as a reply to the charge against her, will be able to judge for himself what degree of credit is to be given in this matter to writers who affirm, like Von Raumer, that “Mary — never spoke decidedly respecting the murder of Darnley,”\* or who declare, like Hume, that “Mary at the time when the truth could have been fully cleared, did, in effect, ratify the evidence against her, by recoiling from the enquiry at the very critical moment, and *refusing to give any answer to the accusation of her enemies.*”†

\* Von Raumer, 161.

† Hume, V. 146.

END OF THE FIRST VOLUME.

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